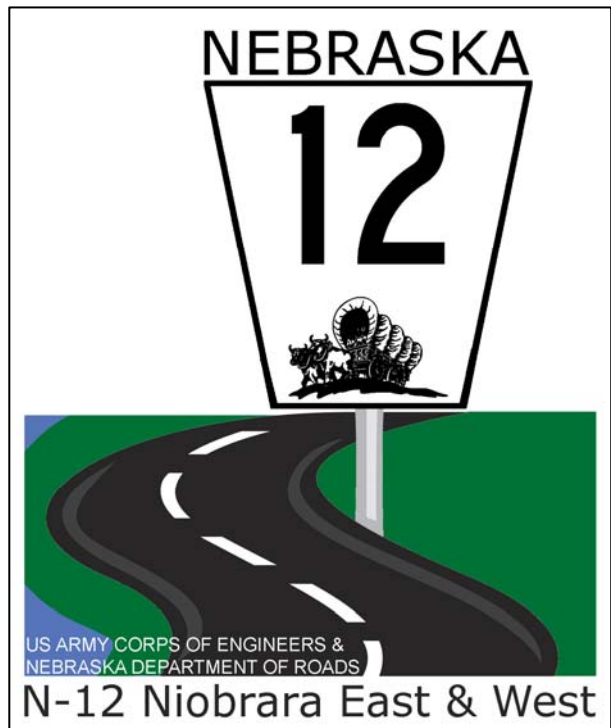


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Scoping Summary Report

Nebraska Highway 12 – Niobrara East and West

Environmental Impact Statement

2004-10258-WEH

S-12-5 (1011), C.N. 31674

November 2008



Scoping Summary Report

This Scoping Summary Report outlines the scoping process and reviews comments from the resource and regulatory agencies and the public concerning the proposed Project.

PROJECT DESCRIPTION

This Project consists of developing an Environmental Impact Statement (EIS) for the proposed improvement or relocation of Nebraska Highway 12 (N-12) to provide a reliable, stable, and safe roadway. Two segments of existing N-12 have experienced flooding and damage due to high water levels associated with the Missouri River. Segment 1 is approximately 6.4 miles long and extends from just east of Verdel, Nebraska on the west end to 2 miles west of the bridge over the Niobrara River. Segment 2 is approximately 6 miles long and extends from just east of Spruce Avenue in Niobrara, Nebraska to approximately 1 mile east of S-54D. The area of study for the Project (Study Area) includes the existing N-12 alignment as well as areas south of the existing alignment on the bluffs of the Missouri River.

SCOPING ANNOUNCEMENTS

The U.S. Army Corps of Engineers (Corps) used several methods to inform the public and interested agencies of the proposed project and to solicit their input. A Notice of Intent (NOI) to prepare an EIS was published in the *Federal Register* on July 25, 2008.

The Corps mailed Early Coordination packets to agencies on August 5, 2008 that provided project information and a tentative EIS schedule, and requested comments from the agencies.

A newsletter was mailed to all individuals on the Corps' project mailing list the week of August 12, 2008.

Public scoping meeting notification posters were placed in libraries in Niobrara and Verdigre, Nebraska, and Tyndall and Springfield, South Dakota; in post offices in Niobrara, Verdigre, and Springfield; in the Knox County extension office in Center, Nebraska; in the Gavins Point Corps office in Yankton, South Dakota; in the Discovery Center in Crofton, Nebraska; in the Legion Hall in Verdel, Nebraska; and in Farnik's Market in Niobrara two weeks prior to the meeting.

Public scoping meeting advertisements were published between August 14-27, 2008 in the *Yankton Daily Press and Dakotan*, the *Yankton County Observer*, the *Niobrara Tribune*, the *Verdigre Eagle*, the *Tyndall Tribune and Register*, and the *Avon Clarion*.

Please refer to Appendix A for a copy of these public scoping announcements.

AGENCY SCOPING MEETING

Forty individuals representing 17 agencies attended the agency scoping meeting on August 28, 2008 from 1:00 to 3:00 pm at the WFLA Hall in Niobrara. The agencies that were represented are:

- U.S. Army Corps of Engineers, Omaha District
- U.S. Army Corps of Engineers, Gavins Point Project Office

- Santee Sioux Nation
- Ponca Tribe of Nebraska
- Bureau of Indian Affairs – Winnebago Agency
- National Park Service
- Lewis and Clark National Historic Trail
- U.S. Fish and Wildlife Service
- U.S. Senator Ben Nelson’s Office
- Nebraska Department of Environmental Quality
- Nebraska Department of Roads
- Nebraska Game and Parks Commission
- Niobrara State Park
- Nebraska State Historical Society/Nebraska State Historical Officer
- Natural Resources Conservation Service
- Missouri River Futures
- Knox County

During the agency scoping meeting, the project history, the range of alternatives, the issues identified during past coordination, new agency concerns, and next steps were discussed. Please refer to Appendix B for the agency scoping meeting notes. The meeting notes include display and handout information, as well as a list of attendees and a summary of comments.

PUBLIC SCOPING MEETING

Approximately 140 people attended the public scoping meeting on August 28, 2008 from 6:00 to 8:30 pm at the WFLA Hall in Niobrara. Verbal and written comments from the meeting are summarized in the N-12 Public Scoping Meeting Notes (see Appendix B). The meeting notes include display and handout information, as well as a list of attendees.

All written comments from the public received at the public meeting or after the public meeting are summarized below:

- Thirty-four people submitted comments either in favor of repairing the road in its existing location, including widening and build up of the present road, or opposed to moving the existing roadway alignment.
- Twenty-one commenters suggested removing sediment from the Niobrara River and/or Lewis and Clark Lake, Bazile and/or Ponca Creeks.
- Eleven commenters wanted to remove Gavins Point Dam or allow more water to pass through the dam.

- Sixteen individuals expressed concerns about the stability of a roadway in the bluffs and the potential rock slides.
- Thirteen individuals expressed concern that moving the road would impact local businesses and the local economy.
- Five commenters wanted to retain access to Niobrara, public recreation, and private property.
- One commenter suggested building a causeway over the existing road.
- Three individuals suggested improving the bridges over Bazile Creek, Niobrara River, and/or Ponca Creek.
- Four commenters suggested building a dam upstream, above the Niobrara River.
- Two commenters wanted to use wind power for energy needs in place of Gavins Point Dam.
- Two individuals were concerned with the connectivity to Standing Bear Bridge.
- Four individuals were concerned with the disturbance of Native American graves.
- One individual expressed concern over project delay if the project unearths Native American artifacts.
- One individual was concerned about the cost of purchasing new roadway right-of-way.
- Two individuals were concerned with Kangaroo rat habitat. (Note: These comments may actually refer to woodrats. Kangaroo rats have not historically lived in the area).
- One person was concerned with burying beetle habitat.
- One individual suggested eliminating excessive farming close to the Niobrara River to help eliminate the sediment.
- One individual's private well is flooded.
- Three commenters expressed support for a roadway alignment in Alternative 1.
- One individual expressed support for a roadway alignment along the base of the bluffs because riprap would only need to be placed on the north side, utilities may not be present in the alignment, the Niobrara chalk would be the embankment source, there wouldn't be a conflict of traffic through a construction zone, the abandoned railroad followed the base of the bluff from Verdel to Niobrara, and the abandoned railroad right-of-way would have already disturbed any artifacts.
- One commenter expressed support for a roadway alignment in Alternative 4 and did not think that a roadway on existing alignment should be considered.
- One commenter stated that dredging the river would have to be a continuous process.
- Two individuals stated that fishing and recreation in the area has decreased.
- Two commenters were concerned that the river is no longer navigable.

- Two individuals suggested using Niobrara chalk as a base of the roadway.
- One individual disagrees that for every acre of wetland, two must be created, feels good farmland is more desirable to wetlands.
- Three other individuals stated that additional wetland should not be created to mitigate for the wetland impacts due to a new roadway alignment.
- One individual stated that the eastern part of the segment west of Niobrara needs to be raised higher than NDOR's plans call for. The individual suggested building a bridge on Spider Creek between Lazy River Acres.
- One person suggested opening a new channel ½ mile up the river to relieve the flow of water on the Missouri.
- One person suggested building bridges from Verdel to west of Niobrara, and from east of Niobrara to the casino.
- One commenter stated that the bluffs contains many springs.
- One individual was concerned that global warming may lead to more flooding in the future and will compromise the safety of the roadway.
- One individual noted that N-12 is an important corridor for truck traffic related to agricultural production.
- Two commenters stated that Lazy River Acres provides property tax money for Niobrara and its schools.
- One individual requested the study evaluate the impacts on the human and natural environment, not just the cost of the project.
- One individual stated that the Santee Sioux and the Ponca Tribes should be included as cooperating agencies in the development of the EIS.
- One commenter noted that two of the alternative alignments would impact their property including calving yards and alfalfa field.
- One individual stated that Alternative 4 goes through a large gravel pit on private property.
- One person was concerned about the aesthetics of a road on a new alignment.
- One commenter thought the highway should include turn-offs for emergency parking.
- One individual thought the guard rail on the existing roadway should be removed and the slope should be decreased to a 4:1 slope to make the road safer.
- Two individuals expressed that the scoping meeting should have had a presentation or a question and answer session.
- One individual requested additional information because they had no knowledge of the project.

Copies of all written comments received to date are located in Appendix C.

NATIVE AMERICAN CONSULTATION

The Corps initiated consultation on November 3, 2008 with Native American tribes and organizations to establish if the group wanted to act as a cooperating agency and/or if the proposed project would affect any properties that may be significant to these groups. The Corps sent a letter to all of the organizations listed below:

- Flandreau Santee Sioux
- Iowa Tribe of Kansas and Nebraska
- Lower Brule Sioux
- Oglala Lakota Tribe
- Omaha Tribal Council
- Omaha Tribe of Nebraska
- Otoe-Missouri Tribe
- Pawnee Nation of Oklahoma
- Ponca Tribe of Nebraska
- Ponca Tribe (Oklahoma)
- Rosebud Lakota Tribe
- Sac & Fox Nation of Missouri in Iowa
- Sac & Fox Nation of Oklahoma
- Santee Sioux Tribe of Nebraska
- Sisseton-Wahpeton Sioux
- Spirit Lake Sioux Tribe (Mni Wakan Oyate)
- Standing Rock Sioux Tribe
- Three Affiliated Tribes (MHA Nation)
- Winnebago Tribe of Nebraska
- Yankton Sioux Tribe

The consultation request letter is located in Appendix D. No responses have been received to date.

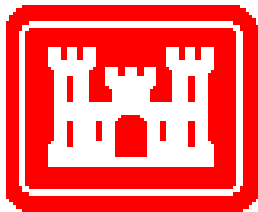
FUTURE STEPS

The Corps will send a newsletter to the recipients on the project mailing list that addresses many of the public's concerns identified during the public scoping meeting. The newsletter will discuss the alternatives screening and EIS processes in greater detail. Finally, the newsletter will educate the public on methods of submitting comments, as well as specific points in the EIS development where formal opportunities to submit comments exist.

Appendix A

Scoping Announcements

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**US Army Corps
Of Engineers**
Omaha District

PUBLIC NOTICE

File No: 2004-10258-WEH

Project: Niobrara East & West, S-12-5(1011)

Applicant: Nebraska Department of Roads

Issue Date: July 25, 2008

The U.S. Army Corps of Engineers (Corps) is preparing an Environmental Impact Statement (EIS) to analyze the direct, indirect and cumulative effects of a proposed Nebraska State Highway project, Nebraska Highway 12 Niobrara East and West Project by the Nebraska Department of Roads (NDOR). NDOR is responsible for providing a safe, efficient, affordable, environmentally compatible and coordinated statewide transportation system for the movement of people and goods.

Two segments of existing Nebraska Highway 12 (N-12) have experienced flooding and damage due to high water levels associated with the Missouri River. Segment 1 is approximately 6.4 miles long and extends from just east of Verdel, Nebraska, on the west end to 2 miles west of the bridge over the Niobrara River. Segment 2 is approximately 6 miles long and extends from just east of Spruce Avenue in Niobrara, Nebraska, to approximately 1 mile east of Nebraska Spur-54D (see attached figures).

The overall project purpose is to provide a reliable and safe roadway that meets the existing and projected traffic needs for the region. This project purpose will be used to evaluate the full range of alternatives under Section 404 (b)(1) guidelines. The need for the project is based on the following problems and/or concerns caused by the high water levels and flooding: instability of the existing roadway; driver hazard; roadway maintenance countermeasures; and traffic disruption.

Roadway Stability: Due to high water levels and overtopping of N-12 in the Study Area, the stability of the roadway is threatened. Gavin's Point Dam on the Missouri River was built in the 1950s near Yankton, South Dakota, creating Lewis and Clark Lake (lake). The lake has caused the water table adjacent to the Missouri River to rise. N-12, which runs parallel to the Missouri River, is affected where it crosses into the Missouri River floodplain east and west of Niobrara, Nebraska. Approximately eight miles of N-12 runs through the floodplain. About half of this length is located to the east and half to the west of Niobrara, in Knox County, Nebraska. The distance between N-12 and the Missouri River bank differs, but some areas are as close as two to three thousand feet. Due to the location of N-12, roadway overtopping and prolonged high water levels are common. Reasons for these conditions are:

- Missouri River Mainstem Releases - System releases from upstream reservoirs as part of the Missouri River mainstem system can provide constant high water levels

and large releases of water can sometimes maintain high water levels for many months.

- **Sedimentation** - The increased silt load coming into the Lake from the Missouri River tributaries (primarily the Niobrara River and Bazile Creek) has caused sedimentation of the Lake. The confluence of the Niobrara River and the Missouri River is just west of Niobrara, Nebraska. The waters slow and sediment is deposited creating a fill area that restricts the channel and raises the bed of the both rivers. This is causing the area of the Lake to increase in dimension as well as raising the water table. This action has also reduced the size (and therefore capacity) of bridge openings.

Overtopping has occurred several times in the Bazile and Ponca Creek areas in the past. Bazile Creek enters the river east of Niobrara, Nebraska where it intersects N-12. Ponca Creek intersects N-12 and enters the river west of Niobrara, Nebraska. Over-topping jeopardizes the integrity of the roadway due to shoulder and embankment damage.

High water levels create conditions of routine and persistent flooding and long-term saturation of the roadway embankment, thus creating roadway shoulder and embankment damage during overtopping events and the potential for roadway embankment erosion during saturation.

Driver Hazard: As described above, N-12 in the Study Area is exposed to regular flooding. Roadway flooding is a concern for driver safety as even if the road is marked closed, motorists may choose to drive through flooded roadways. N-12 in this location does not have lighting and the inherent dangers of driving through flooded roadways exist, especially during times of poor visibility.

In 1995, the Corps implemented an interim fix by raising the gradeline of N-12 by several feet on two short highway segments to alleviate the flooding problems. The resultant roadway is narrow that has shoulders of inadequate width and steep sideslopes. Cable guardrail was installed to help protect vehicles from leaving the road and driving into the water. Due to the narrow roadway, the cable guardrail is close to the edge of the driving lane. These conditions create hazards for the traveling public.

Continuous Roadway Maintenance: Roadway maintenance has occurred in the past (see above #2 above) to repair roadway damage due to high water levels and/or flooding. Until a solution is implemented, continuous roadway maintenance will be required to repair damage caused by high water levels and/or flooding of the roadway.

Need for Reliable Roadway: N-12 is an east-west roadway in northeastern Nebraska that provides a route for local and thru vehicle traffic. N-12 is situated among the northern portions of counties in Nebraska. As there are limited resources in this area which provide for east-west vehicle traffic movement, N-12 provides a vital link of travel for adjacent rural residents and traffic traveling east-west through northeastern Nebraska.

NDOR and Corps have not selected a project alternative but will be exploring a range of alternatives through the National Environmental Policy Act (NEPA) process. Construction of the N-12 project is expected to result in temporary and permanent impacts to jurisdictional waters of the U.S., thereby requiring a Clean Water Act Section 404 permit. Alternatives under consideration include: (1) taking no action; (2) re-construction on existing alignment; (3) providing a new two-lane highway on new alignment; (4) reduce or eliminate the flooding/high water level problem through evaluation of methods to reduce Lewis and Clark Lake elevation through operations and/or maintenance. Additional alternatives will be considered during the NEPA process.

The Corps is utilizing a third-party contractor, HDR Engineering, Inc, to prepare the EIS. The EIS will be prepared according to the Corps' procedures for implementing NEPA and consistent with the Corps' policy to facilitate public understanding and review of agency proposals. A project newsletter has been prepared to distribute to the public in the study area that describes the project, discusses the history of the project, and explains the EIS process. Copies of the newsletter will be available at the public scoping meeting or can be requested by mail. The public scoping meeting will be held on August 28, 2008, from 6:00 p.m. to 8:30 p.m., at the WFLA Conference Center located on Spruce and Park Avenue in, Niobrara, NE.

These scoping meetings will be held to describe the project, the NEPA process, and to solicit input on the issues and alternatives to be evaluated and other related matters. Written comments will be accepted at these meetings and until September 28, 2008.

The COE has invited the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, Federal Highway Administration, National Park Service, and Knox County to be cooperating agencies in the formulation of the EIS.

Questions regarding the proposed action, scoping meetings, and the EIS process as well as submission of written comments can be addressed to either:

**Mr. Matt Wray
Project Manager
U.S. Army Corps of Engineers
Nebraska Regulatory Office - Wehrspann Field Office
8901 S. 154th Street
Omaha, NE 68138-3621
(402) 896-0896
or**

Mr. Matthew Pillard

Project Manager
HDR Engineering, Inc.
8404 Indian Hills Drive
Omaha, NE 68114
(402) 399-1186

Public Notices issued by for the state of Nebraska can also be obtained by visiting the Nebraska Regulatory Office web site at:

<https://www.nwo.usace.army.mil/html/od-rne/pn/pn.html>



CORPS INITIATES ENVIRONMENTAL STUDY FOR PROJECT

Project Description

Two segments of the existing Nebraska Highway 12 (N-12) roadway east and west of Niobrara, Nebraska have experienced flooding and damage due to high water levels associated with the Missouri River. The US Army Corps of Engineers (Corps) and the Nebraska Department of Roads (NDOR) propose to improve or relocate N-12 or implement other measures to eliminate damage from flooding, which will provide a reliable, stable, and safe roadway for the region (Project). Figure 1 shows a general Project Vicinity and Study Area map, page 3 includes a detailed Project Location Map. The next step in the Project's progression is the development of an Environmental Impact Statement (EIS).

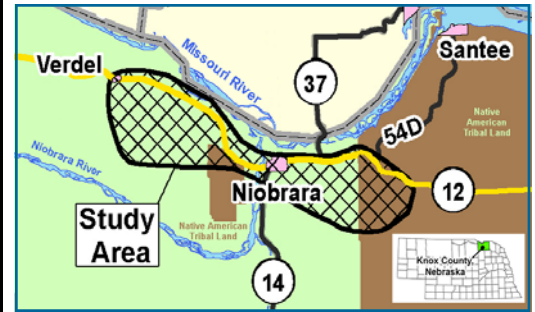


Figure 1: Project Vicinity and Study Area

Why is an EIS needed?

When a project uses federal funding or requires federal permitting or approval, the responsible federal agency must comply with the National Environmental Policy Act of 1969 (NEPA). Based on the Project's potentially-significant impacts to wetlands, waters of the US, and other environmental impacts, an EIS was determined to be necessary to evaluate the impacts on the human and natural environment.

What is the Corps' role?

For this Project, the Corps (a federal

agency and lead federal agency for the Project) must issue a Section 404 of the Clean Water Act permit. To do this, it must conclude that the implemented Project is the least environmentally damaging practicable alternative and is in the public's interest. To conclude this, the Corps determined that an EIS-level study was needed to help evaluate the Project's impacts and compliance with Section 404.

What will the EIS study?

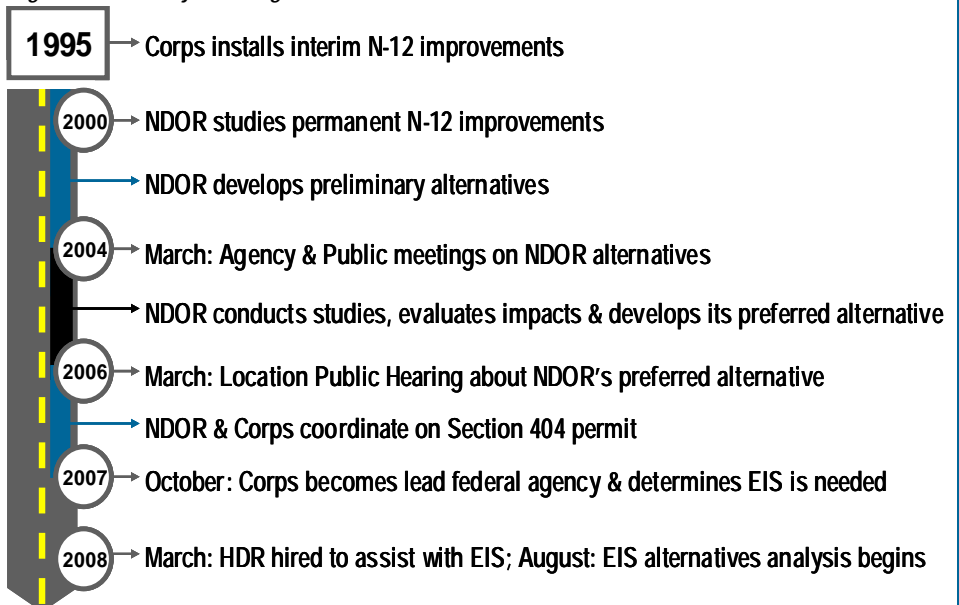
The EIS will provide details on the Project Purpose and Need (see page 2),

describe the range of alternatives considered for the Project, and evaluate impacts to the human and natural environment of all the practicable alternatives. A No-Action Alternative will also be evaluated as required by NEPA. The EIS will compare the potential impacts of each analyzed alternative and the Corps will select a preferred alternative that is the least environmentally damaging practicable alternative. Mitigation to offset the potential Project impacts will be presented in the EIS.

Project Background

In 1995, the Corps implemented an interim fix to N-12 by raising its profile, which resulted in a narrow roadway with inadequate shoulders (see N-12 Roadway Issues article on page 2). In 2000, NDOR initiated a study to evaluate permanent solutions that would alleviate the flooding and high water problems. In 2006, NDOR held agency and public meetings and determined a preferred alternative. NDOR developed a draft environmental document for the Project in 2007 and began coordinating with the Corps for Section 404 permitting. The Corps determined an EIS was needed. Figure 2 summarizes milestones in the Project's development.

Figure 2. N-12 Project Background Timeline



Study Process & Schedule

HDR Engineering, Inc. will assist the Corps with the EIS study process for this Project. The EIS is expected to be completed in 2010.

The process includes several phases of analysis, including evaluation of the existing Study Area, alternatives screening, refinement of practicable alternatives, and an environmental impact analysis.

During the initial screening phase, a wide range of alternatives will be narrowed down to a set of practicable alternatives that meet the Project's Purpose and Need. The set of practicable alternatives will be subjected to a more extensive analysis in the EIS.

When completed, a Draft EIS will be made available to appropriate federal, tribal, state, and local resource or regulatory agencies and the interested public, for review and comment. A public meeting will also be held to gather public

comments. After considering all comments on the Draft EIS, the Corps will prepare and publish a Final EIS, followed by a Record of Decision. With the proper environmental documentation and mitigation for impacts, the Corps would authorize a Section 404 permit for the Project. Figure 3 summarizes the anticipated study schedule.

2008

- Public Scoping Meeting
- Data Collection
- Alternatives Screening
- Draft EIS Development

2009

- Alternatives Impact Evaluation

2010

- Public Information Meeting
- Prepare Final EIS
- Prepare Record of Decision
- Corps Issues Section 404 Permit

Figure 3. Anticipated Study Schedule

N-12 Roadway Issues

The need for the Project is based on the problems and/or concerns caused by the high water levels and flooding of N-12, including instability of the existing roadway, driver hazard, costly and repeated roadway maintenance needs, and traffic disruption.



Current N-12 driver hazards include non-standard shoulders, steep sideslopes & cable guardrails

Current Driver Hazards: N-12 in the Study Area is exposed to regular flooding, which is a concern for driver safety. Interim fixes have been implemented, but have resulted in a narrowed roadway with non-standard shoulders and steep sideslopes. Cable guardrails were installed to protect vehicles from leaving the road and driving into the water, but, due to the narrow roadway, the guardrails are close to the edge of the driving lane.

High Level of Roadway Maintenance: This portion of N-12 requires a high-level of roadway maintenance to repair damage caused by high water levels and/or flooding. Until a more permanent solution is implemented, continuous roadway maintenance will be required to repair damage to the roadway caused by high water levels and/or flooding of the roadway. Repeated maintenance is costly and could lead to increased driver delay.

Need for Reliable Roadway: N-12 is a vital link of travel for adjacent rural residents and traffic traveling east and west through northeastern Nebraska. N-12 also connects multiple state parks and recreational areas along the Missouri River.

THE CORPS' STUDY PURPOSE

Under Section 404 of the Clean Water Act, the basic purpose of the Project is to provide continuity of east-west transportation in northeastern Nebraska.

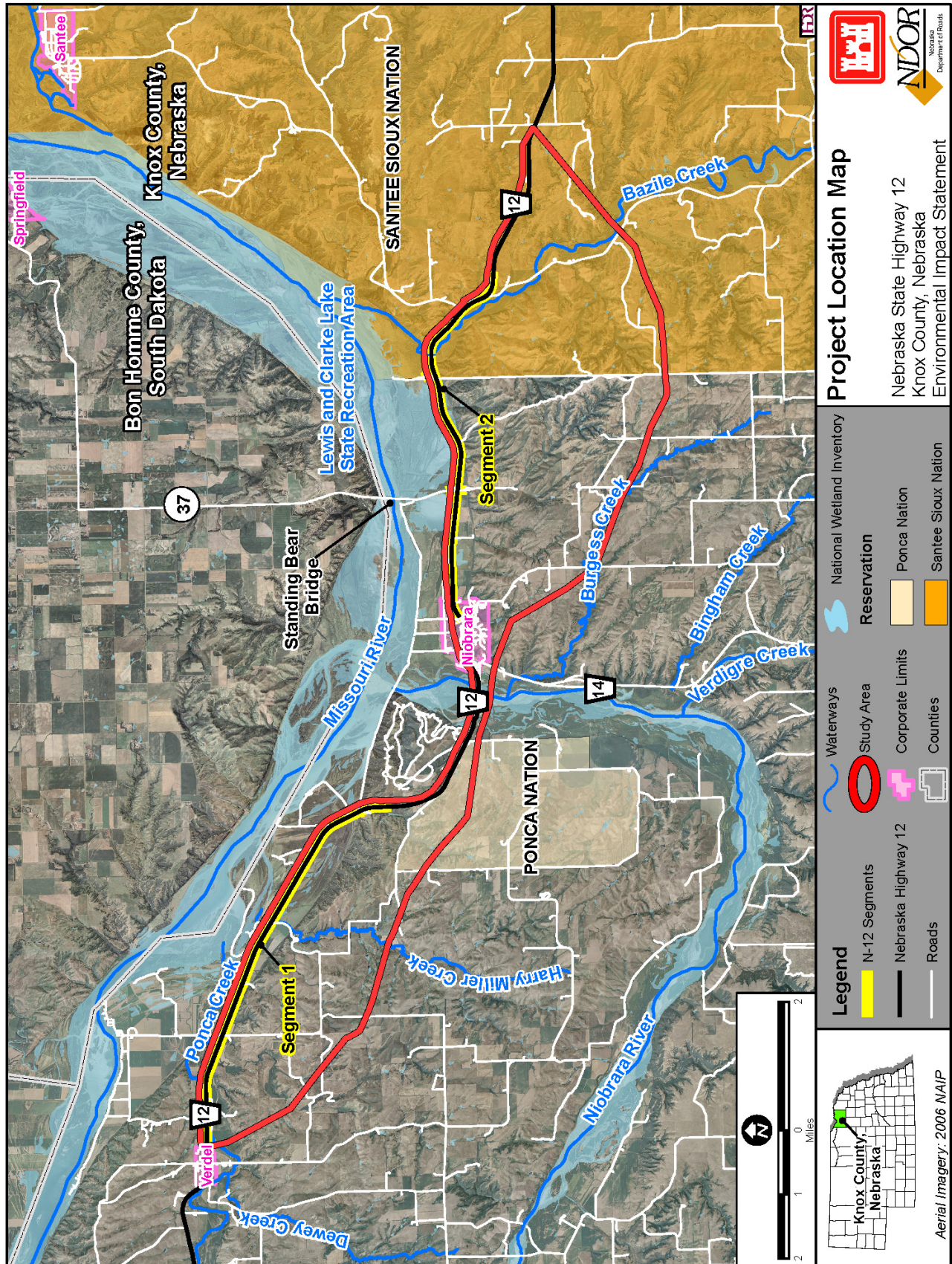
The Corps must determine Project compliance with Section 404, including that the Project implements the least environmentally damaging practicable alternative; any appropriate and practicable steps have been taken to minimize the adverse Project impacts on wetlands and other waters of the US; and that the Project is not contrary to public interest.

The Corps will use the EIS to determine compliance with Section 404.

PROJECT PURPOSE & NEED

The overall purpose of the Project is to provide a reliable and safe roadway that meets the existing and projected traffic needs for the region.

The need for the Project is based on the instability of the existing roadway, driver hazard, costly and repeated roadway maintenance needs, and traffic disruption due to high water levels and flooding of the existing roadway.





Matt Wray
US Army Corps of Engineers
Nebraska Regulatory Office
Wehrspann Field Office
8901 S. 154th Street
Omaha, NE 68138-3621

Visit the Project Website:
[www.transportation.nebraska.gov
/projects/niobrara-N12/index.htm](http://www.transportation.nebraska.gov/projects/niobrara-N12/index.htm)



Project Team Contacts

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Email: Matt.Pillard@hdrinc.com

N-12 NIOBRARA EAST & WEST PROJECT PUBLIC MEETING

The purpose of the public scoping meeting is to introduce this phase of the Project to the public, present the preliminary Purpose and Need, present preliminary alternatives, and gather information from the public about important issues and local concerns.

The meeting will be held on August 28, 2008 at the WFLA Conference Center in the Village of Niobrara from 6:00 pm to 8:30 pm. You may come at any time.

The meeting will be an open-house format with a variety of materials available for viewing. Project team members will be available to discuss issues and answer questions regarding the EIS process.

Early and ongoing public participation is essential to completing a thorough alternatives analysis. If you are unable to attend the public scoping meeting, you may still participate by contacting the Project team, who encourage your input throughout the EIS process.

AUGUST 2008

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Public Scoping Meeting: Mark Your Calendar

Public Scoping Meeting Open House

When: Thursday, August 28, 2008

Time: 6:00 pm - 8:30 pm

Place: WFLA Conference Center
Spruce & Park Avenues
Niobrara, Nebraska

THE US ARMY CORPS OF ENGINEERS INVITE YOU TO ATTEND A

N-12 Niobrara East & West Project

PUBLIC MEETING



The purpose of the open house meeting is to introduce the current phase of the Project to the public, present the preliminary Purpose and Need, present preliminary alternatives, and gather information from the public about important issues and local concerns. A variety of materials will be available for viewing and Project team members will be available to discuss issues and answer questions. Please attend anytime between 6:00pm - 8:30pm.

Thursday
August 28, 2008
6:00pm - 8:30pm
WFLA Hall
Niobrara, NE



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U.S. ARMY CORPS OF ENGINEERS
NOTICE OF PUBLIC SCOPING MEETING

Date: Thursday, August 28, 2008
Time: 6:00 pm – 8:30 pm
Place: WFLA Conference Center
Spruce & Park Avenues
Niobrara, Nebraska

The U.S. Army Corps of Engineers will hold a public scoping meeting for the proposed improvements or relocation of Nebraska Highway 12 (N-12) near Niobrara, Knox County, Nebraska. The Project is known as N-12 Niobrara East & West.

Two segments of existing N-12 have experienced flooding and damage due to high water levels associated with the Missouri River. Segment 1 is approximately 6.4 miles long and extends from just east of Verdel, Nebraska, to 2 miles west of the bridge over the Niobrara River. Segment 2 is approximately 6 miles long and extends from just east of Spruce Avenue in Niobrara to approximately 1 mile east of Nebraska Spur-54D.

The U.S. Army Corps of Engineers is preparing an Environmental Impact Statement to analyze the direct, indirect, and cumulative effects of the N-12 Niobrara East and West Project proposed by the Nebraska Department of Roads (NDOR). NDOR is responsible for providing a safe, efficient, affordable, environmentally compatible, and coordinated statewide transportation system for the movement of people and goods.

The public is invited to attend the public meeting on August 28 any time between 6:00 pm to 8:30 pm. The meeting will be an open-house format with a variety of materials available for viewing. Project team members will be available to discuss issues and answer questions regarding the Project and the Environmental Impact Statement process.

The purpose of the public scoping meeting is to introduce this phase of the Project to the public, present the preliminary Project's Purpose and Need, present preliminary alternatives, and gather information from the public about important issues and local concerns. Written comments and questions from the public will be accepted as part of the scoping process.

If you require special provisions at the public scoping meeting for hearing, visual, or other disabilities, please contact Matt Wray (Corps) at (402) 896-0896 or Matt Pillard (HDR Engineering, Inc.) at (402) 399-1186 prior to the meeting. If you would like to be added to the Project mailing list, contact Matt Pillard at HDR at the above-listed phone number.

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Appendix B

Agency Scoping Meeting Notes

Public Scoping Meeting Notes

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Subject: N12 Agency Scoping Meeting	
Client: USACE	
Project: N12 Niobrara East and West	Project No: 84534
Meeting Date: August 28, 2008	Meeting Location: WFLA Hall, Niobrara, NE
Notes by: M. Pillard and M. Hall	

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Attendees: (See attached sign-in sheets)

Topics Discussed: (See attached agenda)

Introduction: The participants introduced themselves with their agency and interest, if applicable.

Project History: HDR gave a brief project history (see attached Project History display board).

Detail range of alternatives: The participants were provided a map of the four alternative study corridors (see attached Project Location Map). HDR discussed the potential build alternative corridors, explained NDOR's preferred, and discussed other alternatives, such as dredging that will be considered.

Alternative 1 is the alignment NDOR originally proposed to construct. It is immediately adjacent to the existing alignment and will use some of the ROW of the existing alignment. A new road bed will be constructed and raised to an elevation that will accommodate future water levels of the Missouri River w/out overtopping. The existing roadway will be left open during construction. After construction, it will be closed and the concrete removed, but the road grade left in place (partly for protection of the new road).

Alternative 2 is an alignment that runs at the base of the bluffs. Again, road elevations would be constructed as appropriate. Some preliminary engineering was considered for this alignment by NDOR.

Alternative 3 is an alignment on the top of the bluffs. Some preliminary engineering was considered for this alignment by NDOR.

Alternative 4 is an alignment south of the bluffs that utilizes existing county roads where possible. This is a general alignment and no preliminary engineering has been applied.

Other potential alternatives that may be considered in the initial range of alternatives includes sediment removal from the rivers (Missouri and/or Niobrara) and mainstem dam operational changes.

Discuss issues identified during past coordination: HDR presented a board summarizing issues brought up by agencies during coordination with NDOR (see table, below).

Summary of Issues From Previous NDOR Coordination	
Issue	Agency
Wetlands/Waters of the U.S./Waterways	NRD, NGPC, USFWS, NPS
Fish/Wildlife Impacts; T&E Species; Migratory Birds	NGPC, USFWS, NPS
Water Quality	NPS
Wild and Scenic River	NPS, USFWS
Tribal Lands <ul style="list-style-type: none"> - burial grounds/TCPs - tourism/economics 	Santee Sioux Nation, Ponca Tribe of Nebraska, NSHS, Knox County

Archaeology Sites	NSHS, Knox County
Pierre Shale (geology)	Knox County, UNL – NE Geological Survey, NRD
Economics	Village of Niobrara, Knox County

Identify new agency issues: The participants provided concerns and input regarding the project and the study corridors.

NGPC/USFWS:

- Verdigre and Bazile Creek watersheds have or are proposed to have wetland/grassland/woodland conservation easements. This is part of the Legacy Project by the NGPC.
- Wildlife crossings implemented in the roadway design.
- T&E - Pallid sturgeon have been found south of the mouth of the Niobrara, least tern and piping plover (in Missouri River), American burying beetle (W. Knox Co.), bald eagle nesting sites, state-listed dace in Bazile Creek, whooping crane on Bazile Creek.

DEQ:

- Water quality concerns, altering a mainstem dam.

NPS:

- Feels concerns are well-documented in past coordination with NDOR. From a Wild and Scenic River perspective, they would like the road up on the bluffs (Alt. 4), but acknowledge and recognize other impacts.

NSHS:

- Archaeological impacts are irreversible.
- West of Niobrara – more archaeological issues, such as prehistoric and historic Ponca.
- Alternative 4 contains several burial mounds and a village. There are many resources at Ponca Creek confluence and associated bluffs.
- Existing alignment is better from an archeological impact perspective as some areas already impacted
- Advise staying away from bluffs on the west of Niobrara. An alternative route south out of Verdel that stays further south from bluffs would have the less frequency of archaeological resources.
- Don't cut connector roads through the edge of the bluffs.
- East of Niobrara – less archaeological issues.
- Need to maintain access to landowners.
- Need to consider archaeology in identification and use of borrow sites.

Lewis and Clark Trail:

- Would rather have the road out of the floodplain but are sensitive to Tribal issues
- Public access and recreation need to be considered in identifying alternatives.
- Works closely with NPS.
- Requested more information about sediment removal as it is interesting but complicated.

NDOR:

- Concerned about project delay and deteriorating conditions – poor road conditions, detours, bridge/road facilities.
- Stability of Alternatives 2 and 3.
- Landowner access, recreation, continuity with Highway 14.
- Relative to sediment removal, portions of N-12 would need to be rebuilt due to narrow road conditions and inability to accommodate wide loads.
- Asked if FHWA would be involved. It was explained that as there is no nexus to the project for Federal Highway Administration (no DOT funding); USACE became the lead federal agency due to need for a Section 404 permit. FHWA was asked to be a cooperating agency.

Ponca Tribe of Nebraska:

- Gravesites, known and unknown, are primary concern. Also would be considered with Tribal resources in identification of borrow areas.
- Ponca Tribe does not want an alternative that would change the road from existing route. This is due to plans the tribe has for the area.
- Suggest raising the road on a bridge or causeway.

Knox County:

- County doesn't want to maintain the existing road and re-affirmed their resolution to leave the road in its existing location.
- Slides and road stability are primary concerns.
- High water levels have killed large cottonwood trees from the Fort Randle Dam to the mouth of Niobrara. Loss of eagle habitat.
- Burials are prevalent in the bluffs.
- The County is rewriting comprehensive plan, based on the road in place at its existing location.
- Geology of the bluffs with the Pierre shale and bentonite layer is costly for construction and maintenance. Slides near Crofton cost 25-30k. Alternatives 3 and 4 will be problematic and the wetlands being impacted by Alternative 1 are man-made.

BIA:

- Burial sites, cultural and archaeological resources.
- Alternative 4 would include tribal ROW and easements and BIA can assist with that.
- Watershed issues, protection of well water for home sites.
- BIA would discuss with Santee Sioux on Alternatives 3 and 4 to see what is known about resources there.

Santee Sioux:

- Economic impact to the casino and gas station.
- Comfortable with Alternatives 1 and 2, do not support Alternatives 3 and 4.
- An 80 acre cemetery is in the corridor of Alternative 3.

Communicate next steps: HDR gave an overview of the EIS process (see EIS Schedule display board).

Action/Notes:

- NGPC may supply GIS data layer with conservation easement information.
- Evaluate another alternative route south out of Verdel.
- Provide more information about sediment removal to Lewis and Clark Trail representative.
- Evaluate an alternative uses a bridge or causeway for the portions of the road in wetlands or susceptible to flooding.
- Develop Scoping Summary Report

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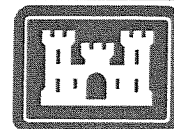
N-12 NIOBRARA EAST & WEST PROJECT

Agency Meeting Sign-In

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Representing	Complete Mailing Address
<input checked="" type="checkbox"/>	Zach Nelson	U.S. Senator Ben Nelson	P.O. Box 791 S. Sioux City, NE 68776
<input checked="" type="checkbox"/>	Alicia Fabbitt	US Senator Ben Nelson	4110 N 13th Lincoln NE 68505
<input checked="" type="checkbox"/>	Mike Croshley	Santee Sioux Nation	52948 Hwy 12 Niobrara, NE 68760
<input checked="" type="checkbox"/>	Theresa Smydra	Missouri River Futures & NRCS	102 E. Elm Hartington, NE 68739
<input checked="" type="checkbox"/>	Ted LaGrange	NGPC	P.O. Box 30370 Lincoln, NE 68503
<input checked="" type="checkbox"/>	Scott Wessel	NGPC	2201 N 13th Norfolk, NE 68701
<input checked="" type="checkbox"/>	Lucas Negus	NGPC	P.O. Box 44 Royal NE 68773
<input checked="" type="checkbox"/>	Neal Bedlan	NPS	601 Riverview Drive Omaha, NE 68102
<input checked="" type="checkbox"/>	Julia Sage	Ponca Tribe of NE	P.O. Box 288 Niobrara NE 68760
<input type="checkbox"/>	Raylene Swanson	Knox County Supervisor	88841 521 Ave Niobrara NE 68760
<input checked="" type="checkbox"/>	Virgil Miller	Knox County Supervisor	Box 101 Verdigre, NE 68783
<input checked="" type="checkbox"/>	Laura Hintz	Knox County Emergency Management	P.O. Box 165 Center, NE 68724
<input checked="" type="checkbox"/>	Liz Doerr	Knox Co. Zoning & Flood Plains Admin	"
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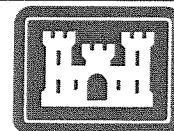
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<input checked="" type="checkbox"/>	Carey Grell	NGPC	2200 N. 33rd Lincoln, NE 68503
<input checked="" type="checkbox"/>	Terry Hickman	NDEQ	POB 98922 Lincoln, NE 68509
<input checked="" type="checkbox"/>	Michael Madell	NPS	PO Box 666 Yankton SD 57078
<input checked="" type="checkbox"/>	Wayne Winkler	NPS	POB 591 O'Neill, NE 68763
<input checked="" type="checkbox"/>	Brooke Stansberry	USFWS	203 W 2nd ST Fed Bldg Grand Island, NE 68801
<input checked="" type="checkbox"/>	Terry Steinwacher	NSHPO	P.O. Box 304 Crawford, NE 69339
<input checked="" type="checkbox"/>	John Ludwickson	Nebraska State Historical Society (Highway Archeologist)	1500 4th STREET LINCOLN NE 68501-2554
<input checked="" type="checkbox"/>	Kristal Stoner	NGPC	2200 N 33rd St Lincoln, NE 68503
<input checked="" type="checkbox"/>	Gary Ledbetter	Gavins Point Project Corps	P.O. Box 710 Yankton, SD 57078
<input checked="" type="checkbox"/>	Denise Nelson	NPS ^{Lewis & Clark} NHT	601 Riverfront Dr. 102 Omaha, NE 68103
<input checked="" type="checkbox"/>	Scott Brummond	NDOR	P.O. Box 426 Wayne, NE 68787
<input checked="" type="checkbox"/>	Rob Davis	NDOR	PO Box 1707 Norfolk, NE 68702-1707
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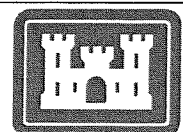
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<input type="checkbox"/>	Wyatt Webster	NDOR	1500 Highway 2 Lincoln, NE 68509
<input type="checkbox"/>	JASON JURGENS	NDOR	1500 HIGHWAY 2 LINCOLN, NE 68509
<input type="checkbox"/>	Randy Peters	NDOR	" "
<input type="checkbox"/>	John Moeschen	USACE	8901 South 154th St Omaha, NE 68138
<input type="checkbox"/>	Rodney J. Schwarz	USACE	" "
<input type="checkbox"/>	MATT WRAY	USACE	8901 South 154 St Omaha, NE 68138
<input checked="" type="checkbox"/>	Tris Winkler	NDOR-D3	P.O. Box 1707 Norfolk, NE 68702-1707
<input type="checkbox"/>	MONICA FLORES	BIA-Winnebaggo Agency	Rt. 1 Box 18 Winnebago, NE 68071
<input type="checkbox"/>	Ernest Poutier	BIA Winnebago, NE	" "
<input checked="" type="checkbox"/>	Tamara Poutier	BIA, Superintendent Winnebago NE	" " "
<input type="checkbox"/>	Don Turek	NDOR	1500 Hwy 2 Lincoln, NE 68509-4795
<input type="checkbox"/>	Sara Porter	NDOR	" "
<input checked="" type="checkbox"/>	LEN SAND	NDOR	" "
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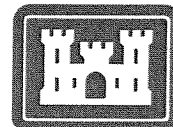
N-12 NIOBRARA EAST & WEST PROJECT

Agency Meeting Sign-In

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Representing	Complete Mailing Address
<input type="checkbox"/>	Kevin R. Barta	Knox County Hwy. Supt.	P.O. Box 85 Center, NE 68724
<input type="checkbox"/>	Tom Motacek	Niobrara St Park	Niobrara NE
<input type="checkbox"/>			
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N-12 NIOBRARA EAST & WEST PROJECT

Agency Meeting Agenda

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

1. Introduction
2. Project history
3. Detail range of alternatives
4. Discuss issues identified during past coordination
5. Identify new agency issues
6. Communicate next steps



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N-12 NIOBRARA EAST & WEST PROJECT

PROJECT HISTORY

1995

→ Corps installs interim N-12 improvements

2000

→ NDOR studies permanent N-12 improvements

→ NDOR develops preliminary alternatives

2004

→ March: Agency & Public meetings on NDOR alternatives

→ NDOR conducts studies, evaluates impacts & develops its preferred alternative

2006

→ March: Location Public Hearing about NDOR's preferred alternative

→ NDOR & Corps coordinate on Section 404 permit

2007

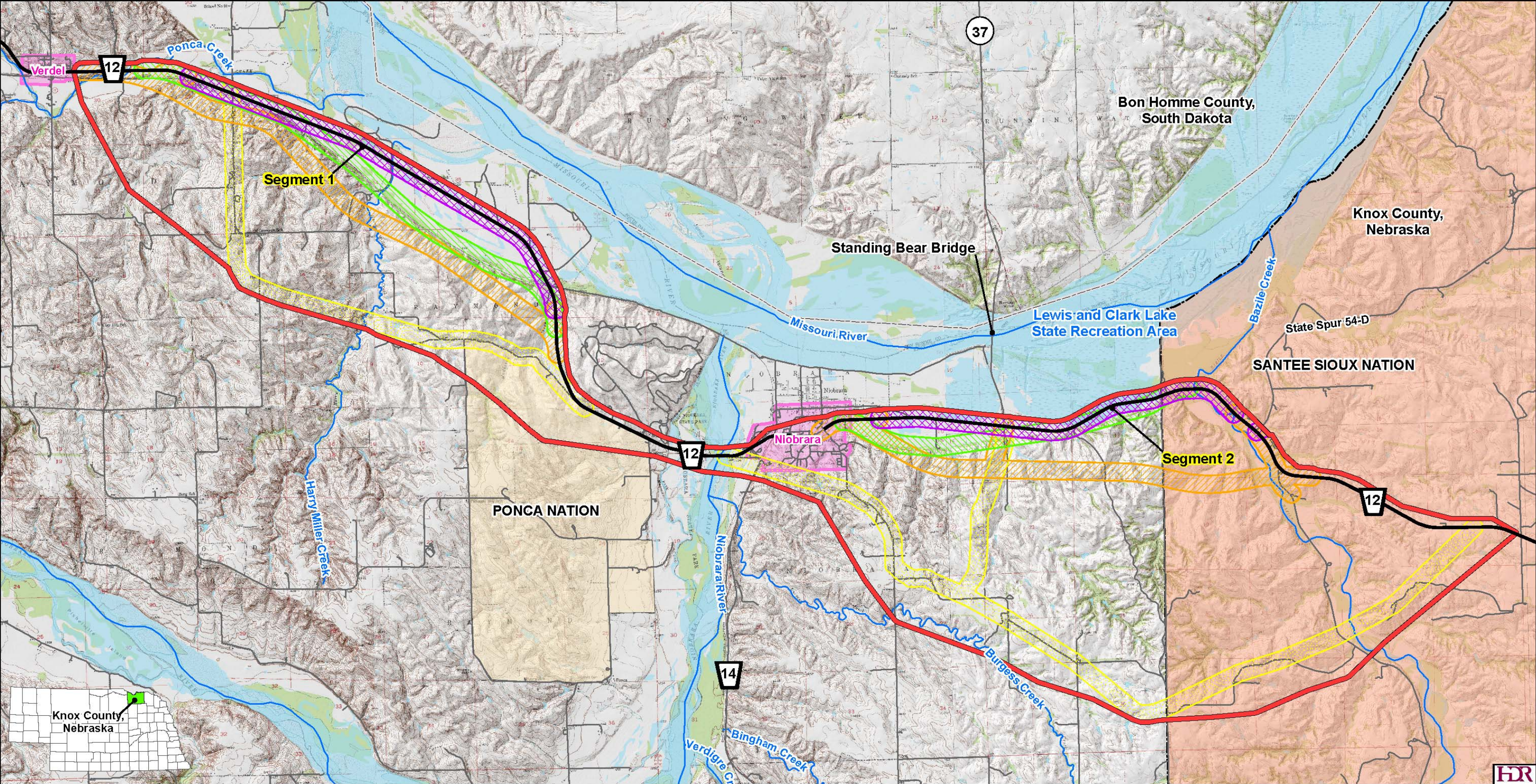
→ October: Corps becomes lead federal agency & determines EIS is needed

2008

→ March: HDR hired to assist with EIS; August: EIS alternatives analysis begins



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Preliminary Alternative Study Corridors

- Alternative 1 Study Corridor
- Alternative 2 Study Corridor
- Alternative 3 Study Corridor
- Alternative 4 Study Corridor

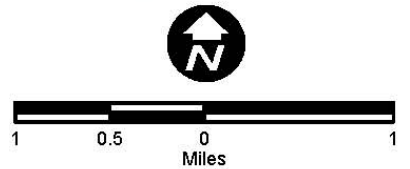
Legend

- Nebraska Highway 12
- Roads
- Rivers / Streams
- National Wetland Inventory
- Study Area

- Corporate Limits
- Counties

Reservation

- Ponca Nation
- Santee Sioux Nation



Project Location Map

Nebraska State Highway 12
Knox County, Nebraska
Environmental Impact Statement

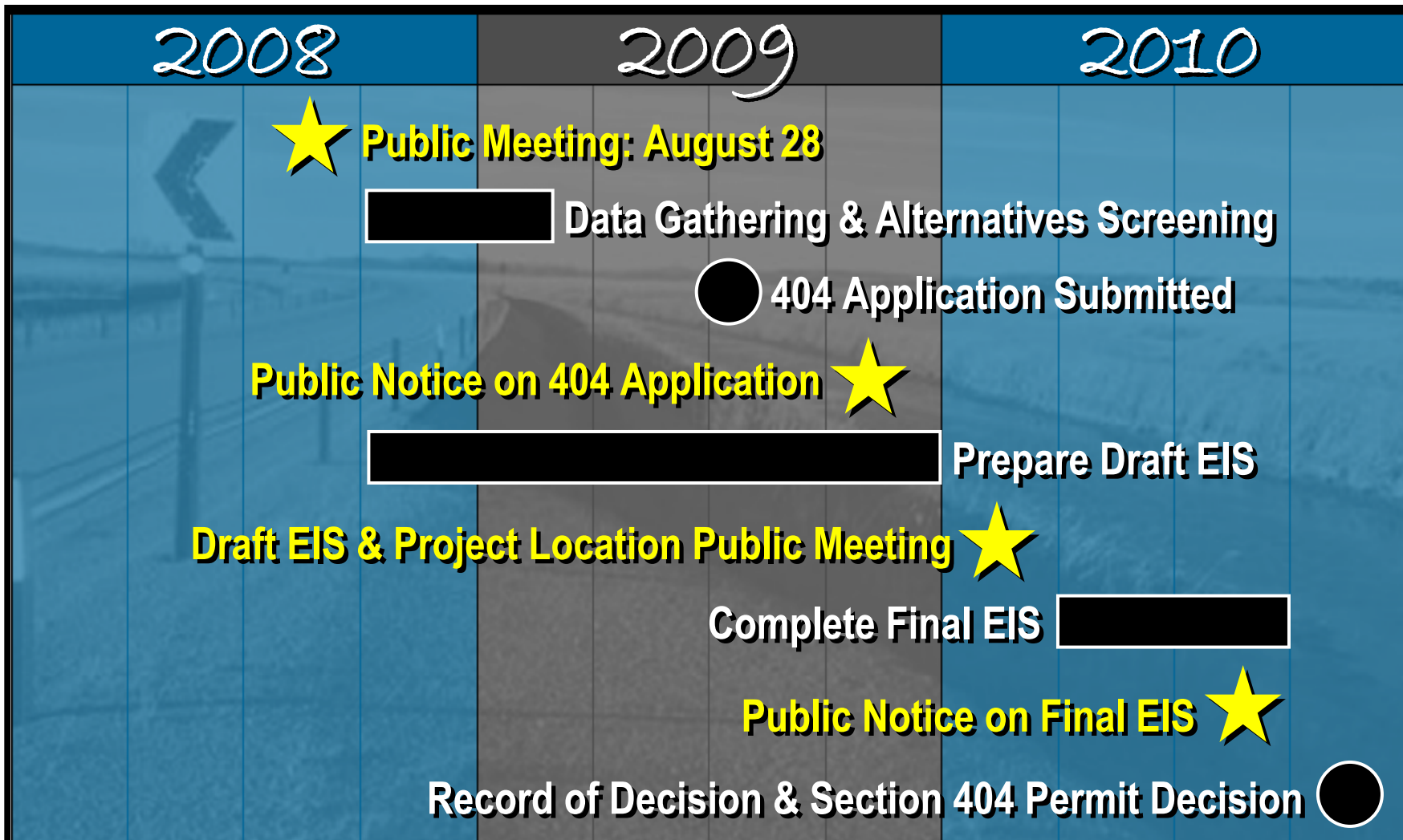


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N-12 NIOBRARA EAST & WEST PROJECT

EIS SCHEDULE



: Formal Opportunity for Public Comment/Involvement. Note: Public Input Welcome Throughout Process.



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Subject: N12 Public Scoping Meeting	
Client: USACE	
Project: N12 Niobrara East and West	Project No: 84534
Meeting Date: August 28, 2008	Meeting Location: WFLA Hall, Niobrara
Notes by: M. Pillard and M. Hall	

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Attendees: (See attached sign-in sheets)

Matt Wray, Corps
John Moeschen, Corps
Paul Boyd, Corps
Gary Ledbetter, Corps
Rodney Schwartz, Corps
Dick Gorton, HDR
Matt Pillard, HDR
Meagan Hall, HDR

Approximately 140 people attended the public scoping meeting on August 28, 2008 from 6:00pm to 8:30pm at the WFLA Hall in Niobrara.

Display Boards and Handouts:

The public was provided project information on display boards, including meeting purpose, project history, EIS schedule, and project need (see attached display boards). Large scroll maps with the Study Area and alternative alignment corridors were available for viewing. Individuals received a handout with project and contact information that included a map of the study area and four alternative roadway alignments (see attached handout).

Topics Discussed:

The statements below summarize the comments and concerns heard at the public scoping meeting:

Concerns:

- Locals oppose moving the roadway to another location.
- Constructability of the road in the bluffs
- Stability of the road in the floodplain
- Local access issues, including public recreation and private (Lazy River Acres)
- Locals will continue to use the existing road, even if replaced with new alignment
- NPS wants to move 200 homes
- Tax support to Knox County (Lazy River Acres)
- Life of dam with current sedimentation rates
- USACE acquiring lands
- Alleviating the sediment problem doesn't solve the current road problem
- Flows through the Mormon Canal are higher than the Niobrara River?
- The value of pasture land in the area ranges from \$1,000 to \$2,500 per acre.
- Need for an O & D study to determine the percentages of local and through traffic.

Suggestions/Alternatives:

- Remove the dam
- Replace Bazile and Ponca River bridges

- Alternate 1 - Existing soils next to the road work good as fill material. Recommended using chalk rock (yellow in color) for the base, there is plenty of it.
- Remove sediment, wants cost of sediment removal compared to road cost
- Flushing the Missouri River twice a year would take care of the silting problem.

Process-related comments:

- Confusion about the process
- Next opportunity for public involvement
- Want a question and answer session or a presentation
- Scale of maps in handout

Received Written Comments:

Individuals were given the opportunity to submit written comments at the public scoping meeting. The written comments received at the public scoping meeting are summarized here:

- Twelve people submitted comments either in favor of repairing the road in its existing location, including widening and build up of the present road, or opposed to moving the roadway alignment.
- One individual stated that NDOR's preferred alternative (build a highway adjacent to the existing highway) causes the least amount of hardship for landowners and the traveling public.
- Nine comments suggested removing sediment from the Niobrara River and/or Lewis and Clark Lake, Bazile and/or Ponca Creeks.
- Three commentors wanted to remove Gavins Point Dam or allow more water to pass through the dam.
- Four individuals expressed concerns about the stability of a roadway in the bluffs and the potential rock slides.
- Three commentors wanted to retain access to Niobrara, public recreation, and private property.
- One individual suggested improving the bridges over Bazile Creek, Niobrara River, and/or Ponca Creek.
- One individual was concerned with the disturbance of Native American graves.
- Two individuals were concerned with Kangaroo rat habitat. (Note: These may actually refer to woodrats. Kangaroo rats have not historically lived in the area).
- One individual was concerned with burying beetle habitat.
- One individual suggested eliminating excessive farming close to the Niobrara River to help eliminate the sediment.
- One individual's private well is flooded.
- Two commentors expressed support for a roadway alignment in Alternative 1.
- Four individuals expressed concern that moving the road would impact local businesses and the local economy.
- One individual stated that fishing and people using the river has decreased.
- One individual suggested using Niobrara chalk as a base of the roadway.
- One individual disagrees that for every acre of wetland, two must be created, feels good farmland is more desirable to wetlands. One other individual stated that additional wetland should not be created to mitigate for the wetland impacts due to a new roadway alignment.
- One individual stated that the eastern part of the segment west of Niobrara needs to be raised higher than NDOR's plans call for. The individual suggested building a bridge on Spider Creek between Lazy River Acres.
- One individual suggested opening a new channel ½ mile up the river to relieve the flow of water on the Missouri.
- One individual was concerned that global warming may lead to more flooding in the future and will compromise the safety of the roadway.
- One individual noted that N-12 is an important corridor for truck traffic related to agricultural production.
- One individual requested the study evaluate the impacts on the human and natural environment, not just the cost of the project.
- One individual stated that the Santee Sioux and the Ponca Tribes should be included as cooperating agencies in the development of the EIS.

- One individual expressed that the scoping meeting should have had a presentation or a question and answer session.

The above summary only includes those written comments received at the public scoping meeting. The Corps and HDR will continue to receive written comments after the public meeting. Those will be summarized in the future scoping summary report.

Action/Notes:

- Mail handouts to those attendees who did not receive them.
- Draft a newsletter to address common comments.

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N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input checked="" type="checkbox"/>	Shirley Luck	Owner	89141 Highway 14 Niobrara NE 68760
<input checked="" type="checkbox"/>	Patricia Simpson	Property owner	P.O. Box 311 Niobrara, Ne 68760
<input checked="" type="checkbox"/>	Charles Bider	Property owner	1990 Y Treasure Island Rd Platteville NE 68048
<input checked="" type="checkbox"/>	HOWARD PAUL	MSAC - Ex. DIR	1511 HOLIDAY DRIVE CANTON, SD 57013
<input checked="" type="checkbox"/>	Josef Hastings	Owner	Box 6 Niobrara Ne 68760
<input checked="" type="checkbox"/>	Tom Hastings	Property Owner	9708 Valaretha Dr. Gretna, NE 68028
<input checked="" type="checkbox"/>	Jan Colwell	Owner	Niobrara
<input checked="" type="checkbox"/>	Matt Colwell	owner	
<input checked="" type="checkbox"/>	JOHN MOORE	VILLAGE TRUSTEE	PO BOX 46 NIOBRARA NE
<input checked="" type="checkbox"/>	Heidi Waldman	Property owner	P.O. Box 151 Niobrara Ne
<input checked="" type="checkbox"/>	Sheila Keeler	Business owner	Box 216 Niobrara
<input type="checkbox"/>	JASON JURGENSEN	NDOR	1500 Hwy 2 LINCOLN
<input type="checkbox"/>	Jeff Wambough	Land owner	29815 428 AVE Hastings SD
<input type="checkbox"/>	Art G. Snowdon	Land owner	5309 E Hwy 12 Niobrara Ne 68760
<input type="checkbox"/>	Elvin Motacek	LAND	503 E VERIDEL MAX NIOBRARA, NE 68760
<input checked="" type="checkbox"/>	Mike Keeler	Landowner	Box-216 Niobrara, NE 68760
<input type="checkbox"/>	Julia Sagl	PTON / Comm. member	53420 889 Rd Niobrara 68760





N-12 NIOBRARA EAST & WEST PROJECT

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Meeting Location: WFLA Conference Center, Niobrara, Nebraska

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<input type="checkbox"/>	Chad Bolling	Property owner/citizen	Niobrara NE POB: 130 1st Space Ave
<input checked="" type="checkbox"/>	Mark Simpson	Property owner	Box 311 Niobrara NE 68760
<input checked="" type="checkbox"/>	Mary Crosley	Property Owner	53040 892 Rd NIOBRARA, NE 68760
<input checked="" type="checkbox"/>	Robert Croley	property owner	98 Locust St Niobrara Ne 68760
<input checked="" type="checkbox"/>	Murvin Heggen	Property Owner	52518-890 Rd Niobrara Ne 68760
<input checked="" type="checkbox"/>	Myron Chis	property owner	PO Box 77 Niobrara Ne 68760
<input checked="" type="checkbox"/>	W. L. Freyburger	Property Owner	89616-531 Ave Niobrara, Ne, 68760
<input checked="" type="checkbox"/>	Jo Cameron	Property owner	81850 894 Rd Niobrara NE 68760
<input checked="" type="checkbox"/>	Melvin Cameron	" "	" "
<input type="checkbox"/>	Eveline Anshuk	" "	2nd St Niobrara, Ne 68760
<input type="checkbox"/>	Arlene Corporan	Property	Niobrara, Ne 68760
<input type="checkbox"/>	Randy Peters	NDOR	1500 Hwy 2 Lincoln
<input type="checkbox"/>	Allen Abbott	Sen Ben Nelson	440 N 5th Lincoln NE
<input type="checkbox"/>	Adam W. Armbrust	Property owner	P.O. BOX 118 NIOBRARA NE
<input type="checkbox"/>	David & Sherry		PO Box 175 Verona
<input checked="" type="checkbox"/>	Lisa Hore	Press	319 Walnut St. Yankton, SD 571078
<input type="checkbox"/>	Pat Birmingham	Prop.	Box #10 Bloomfield, Ne 68718

MAP

MAP





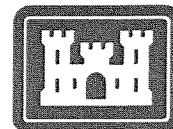
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<input type="checkbox"/>	Larry J. Olson	Interested Citizen	200 North 3rd Beresford S.D. 57004
<input checked="" type="checkbox"/>	Tom Bartak	"	Box 124 center NE 68728
<input type="checkbox"/>	Delores Hoffman	" "	Box 712 plainsville NE 68769
<input checked="" type="checkbox"/>	Art Hickman	Utility - Electrical	North Central Public Power P.O. Box 90 District Creighton, Ne. 68729
<input checked="" type="checkbox"/>	Ret. Diaz	Prop. Owner	Box 307 Niobrara, Ne
<input checked="" type="checkbox"/>	Dan Vukoc	Interested Citizen	56211 Hwy 84 Verdigris NE 68783
<input checked="" type="checkbox"/>	Don Knari	Interested Citizen	Niobrara
<input type="checkbox"/>	John Knari	" "	Niobrara
<input type="checkbox"/>	Ronald Hane	" "	Niobrara N
<input checked="" type="checkbox"/>	Lisa Bolling	Property owner, interested citizen	PO Box 130 Niobrara NE 68760
<input checked="" type="checkbox"/>	Thomas Colwell	Property Owner - Church	307 Quimby Ave Verdigris, NE 68783
<input checked="" type="checkbox"/>	John W. Cusley Jr.		Niobrara Neb
<input checked="" type="checkbox"/>	Chris Krecik	Property owner	88471 517 Ave Niobrara, 68760
<input type="checkbox"/>	Walter R. Reif	" "	5103 Main Runnigworth, ND - 57662
<input checked="" type="checkbox"/>	DEAN HENW	" "	51125 827 RD Niobrara
<input checked="" type="checkbox"/>	DENISE WKSOL	" "	PO Box 85 Niobrara
<input checked="" type="checkbox"/>	Susan Kelley	Property Owner	P.O. Box 253 Niobrara





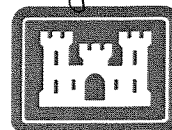
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<input checked="" type="checkbox"/>	Ralph Simpson	Property owner	910119 BOX 54 NIOBRARA NE 68760
<input checked="" type="checkbox"/>	Lee Simpson	" "	" " " "
<input checked="" type="checkbox"/>	Lou Maroff	Property owner	3714 LAKEVIEW DR NORFOLK NE 68701
<input checked="" type="checkbox"/>	Rocky Latorna	Property owner	51698 HWY 12 NE
<input checked="" type="checkbox"/>	Pick Spellman	Property owner	705 No. 57 th Ave. Omaha NE 68132
<input checked="" type="checkbox"/>	Jay & Carol Moody	property owner	Box 53 Niobrara NE 68760
<input type="checkbox"/>	Shirley Simpson	property owner	P.O. Box 324 Niobrara NE 68760
<input type="checkbox"/>	Rebecca Simpson	" "	52514 890 Rd NIOBRARA 68760
<input checked="" type="checkbox"/>	Ron Krupicka	Property Owner	88998 528 th AVE NIOBRARA NE 68761
<input checked="" type="checkbox"/>	Marilyn Raymond	" "	PO Box 152 NIOBRARA NE 68760
<input type="checkbox"/>	Bill & Robin Salmen	Property Owner	89702 513 Ave Niobrara NE 68760
<input checked="" type="checkbox"/>	BARRIE & POY BRADEN	" " "	51829 897 RD NIOBRARA LATELY RIVER ACROSS
<input type="checkbox"/>	Terry Gompert	CES Prop owner	57244 HWY 64 Center, NE 68724
<input type="checkbox"/>	Don Jordan	Aug Supr	PO BOX 278 Vendig NE
<input checked="" type="checkbox"/>	Ben McFarlane		PO-181 - Cedar Wood Drive
<input type="checkbox"/>	Deane Fulton		86866 530 Ave Coughton
<input type="checkbox"/>	Ruth A. Feltner		86866 530 Ave Coughton





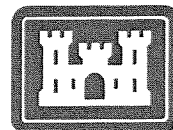
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<input type="checkbox"/>	Rozann Jones	Property Owner	248 Walnut Box 127
<input type="checkbox"/>	Heidi Smith	Resident	89075 525 Ave 66th
<input type="checkbox"/>	Amelie Elen	Resident	108 West Verd. 2 nd St. Niobr
<input type="checkbox"/>	LLOYD W. ANDERSON	"	66 JUNIPER RD, NIOBRARA, NE 68766
<input type="checkbox"/>	James C Maly	✓	Box 389 Verden, Neb
<input type="checkbox"/>	Gordon W. Fulton	Property Owner	53079 869 Rd Creighton, Ne
<input type="checkbox"/>	Diane M. Baller	Property Owner	87315 530 Ave Creighton, Ne
<input type="checkbox"/>	Kenard T. Kuegel	Property Owner	88971 517 Ave. Niobrara
<input type="checkbox"/>	Ruth Balch	Resident	P.O. Box 283 Niobrara
<input type="checkbox"/>	Arnis Hoffman	"	P.O. Box 713 - Plainville, Ne.
<input type="checkbox"/>	Lois Kuegel	"	87168 517 Ave Niobrara, Ne
<input type="checkbox"/>	Gail Argus	✓	SAME
<input type="checkbox"/>	Suberta Peterson	property owner	50 Hickory - Niobrara
<input type="checkbox"/>	Margaret Sandoy	Citizen	20 P.O. Box 224 Niobrara
<input type="checkbox"/>	Brian Sanders	✓	✓
<input type="checkbox"/>	Dee Kemp	Property Owner	202 E. Juniper Rd
<input type="checkbox"/>	Jed Kemp	Property Owner	202 E. Juniper Rd





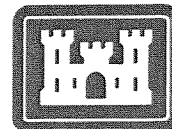
N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input checked="" type="checkbox"/>	La Rita Branstetter	Int. Citizen Prop. owner	P.O. Box 21 Niobrara, Ne. 68760
<input type="checkbox"/>	Carol Cooley	Prop owner	Running Water 57062 52514 890 Rd. Niobrara NE 68760
<input type="checkbox"/>	Guarita Emory	Prop - owner	88998 528 Ave. Niobrara NE 68760 P.O. Box 1461 89th St.
<input type="checkbox"/>	hiz Krupicka	Prop owner	Niobrara NE 68760
<input type="checkbox"/>	Kelley Johnson	"	P.O. Box 182 Niobrara 68760
<input type="checkbox"/>	Judy Steffen	"	101 W Verdel 2nd St Niobrara NE 68760
<input type="checkbox"/>	Mary K. Esler	Interested Cit + Prop owner	68760 15 COTTONWOOD Dr. Niobrara 89108 525 Ave P.O. Box 313 Niobrara, Ne 68760
<input checked="" type="checkbox"/>	Ben Stuchman	prop owner	P.O. Box 732 Plainview Ne 68769
<input checked="" type="checkbox"/>	Viola Weatherman	Property owner	5203 Spruce Street Running Water S.D. 57062-6716
<input checked="" type="checkbox"/>	Richard Lull	Property owner	POB 609 PLAINVIEW NE 68769
<input checked="" type="checkbox"/>	Richard Hermann	" "	P.O. Box 147 Niobrara, Ne 68760
<input checked="" type="checkbox"/>	DAN Ashburn	" "	POB 309 Verdigre, NE 68783
<input checked="" type="checkbox"/>	Doug Salmer	" "	P.O. Box 307 Niobrara NE 68760
<input checked="" type="checkbox"/>	Glenna Pavlik	" "	89149 Hwy Niobrara
<input checked="" type="checkbox"/>	Margaret Dies	" "	" "
<input checked="" type="checkbox"/>	Terry Zach	" "	" "
<input checked="" type="checkbox"/>	Valerie Zach	" "	" "





N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input checked="" type="checkbox"/>	Deborah Knutson	property owner	25 Cherry St Niobrara NE 68760
<input checked="" type="checkbox"/>	Tony Knutson	property owner	25 Cherry St Niobrara NE 68760
<input type="checkbox"/>	Kenneth Stolz		615 S. Main St Niobrara, NE 68783
<input checked="" type="checkbox"/>	Mary Schmidt	property owner	10 Cottonwood Dr. Box 211 Niobrara, NE 68760
<input checked="" type="checkbox"/>	Leslie O. Baller	Property owner	873 S 530 Ave. Creighton NE 68729
<input checked="" type="checkbox"/>	Barbara Lamm	property owner	POB 453 242 Birch Niobrara NE
<input checked="" type="checkbox"/>	Jane Olson	property owner	POB 241 Niobrara, NE
<input type="checkbox"/>	Eileen Thieroff	" "	Niobrara, NE.
<input checked="" type="checkbox"/>	Ken Johnson	Prop owner	103 W. Main Niobrara NE 68760
<input type="checkbox"/>	Charles Johnson	" "	" "
<input checked="" type="checkbox"/>	Howard Mayberry	" "	" "
<input checked="" type="checkbox"/>	Karen Hudson	" "	69 Locust St Niobrara NE 68760
<input checked="" type="checkbox"/>	Jackie Meier	prop owner	89961 532 Ave Niobrara, NE 68760
<input checked="" type="checkbox"/>	Honna Meier	Property owner	57 Linden Street Niobrara, NE 68760
<input checked="" type="checkbox"/>	Ken Meier	Property owner	57 Linden Street Niobrara, NE 68760
<input checked="" type="checkbox"/>	Mary Scheinost	Prop. owner	98 Sycamore P.O. Box 114 Niobrara, NE 68760
<input checked="" type="checkbox"/>	Ronald Scheinost	" "	" "



Check to be added to mailing list	Name	Interest (Prop owner Interested Citizen Official)	Complete Address
X	Ken Farnik	Business Person Home owner	Box 185 Niobrara, NE 68760
	Deiberta Peterson	prop owner	50 Hickory Niobrara 68760
	Eileen Thierolf	prop owner	PO Box 332 Niobrara, NE 68760
	Jimmy DEAN Robinette	Business	Niobrara NE 68760 Box 242
	Leland Henke	prop owner	PO Box 365 Niobrara, NE 68760
	JOHN MOORE	PROP OWNER	PO Box 46 NIOBRARA NE 68760
	Charles Mulvaney	Prop owner	NIOBRARA POB 333
	BRIAN STARK	PROP OWNER	Niobrara 89127522 AVE
	Phil Wenzel	Int. Official	Sioux City, IA
	Bob Pischel	Prop. owner	Niobrara, 68760 5216 892 Rd
	Mary L. Merrill	Int. Ct.	P.O. Box 16 Niobrara, NE 68760
	Dan Fleming	Int. Ct. PO Box 212	P.O. Box 212 Niobrara, NE 68760
	Lynn Kochler	Property owner	P.O. Box 265 NIOBRARA, NE 68760

NameInterestAddress

Name	Interest	Address
Dan McClellan	Business	2548 Park Ave Niobrara 68760
# Connie Kemp	land owner	89115 525 Ave Niobrara NE 68760
Rick & Deb Hanzlik	land owner	89595 517 Ave Niobrara NE 68760
Larry & Kathy Meier	PROPERTY OWN	Box 96
Kevin R Barta	Landowner	88785 528 Ave Niobrara NE
Rich Barta	- Rancher - Farmer	52705-889 RD. Niobrara 68760
Kent Barta	Landowner	88839 527 Ave Niobrara
Larry & Duff	Property	34 HACKBERRY HTS Niobrara
Betty J. Swanson	Property	89054-519 Ave Niobrara Ne.
Jim Swanson	Landowner	89054-519 Ave Niobrara Ne
Raylene Swanson	Supervisor Knox County	88841 521 Ave Niobrara
Jim Swanson	BUS. OWNER	88841 521 Ave Niobrara
Teresa C Foner	PO Box 285 N N	68760
Paulo Ribeiro	PO Box 341	Niobrara (NE) 68760.
Dale Tarrick	Box 132	Niobrara NE 68760
Samantha Quick	Radio news assistant	Yankton, SD 68506 57892
ALAN KEMP	Landowner & Business owner	Niobrara NE 68760
Mickey May	property	301 W Main St. Verdel, NE 68760-6043
Janet Swanson	Property -	102 East Juniper Rd. Niobrara, NE 68760
Ken Sand	NDOR	
Sara Porter	NDOR	
Math P. Hall	HAR	
Megan Hall	HDR	

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N-12 NIOBRARA EAST & WEST PROJECT

WELCOME



US Army Corps of Engineers



PURPOSE OF THIS MEETING

Corps' project
(Gavins Point Dam/
Lewis & Clark Lake)
created flooding &
high water problems
at N-12



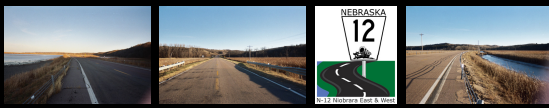
NDOR seeks long-
term roadway
solution resulting in
N-12 Project, which
requires a federal
Section 404 permit
issued by the Corps



To issue a
Section 404 permit,
Corps must ensure
N-12 Project is
compliant with NEPA
(National Environmental
Policy Act)

*Today's meeting begins the Corps' NEPA process.
We are here to gather your input on the initial
potential project alternatives considered by the
Corps as part of the process.*





N-12 NIOBRARA EAST & WEST PROJECT

PROJECT HISTORY

1995

→ Corps installs interim N-12 improvements

2000

→ NDOR studies permanent N-12 improvements

→ NDOR develops preliminary alternatives

2004

→ March: Agency & Public meetings on NDOR alternatives

→ NDOR conducts studies, evaluates impacts & develops its preferred alternative

2006

→ March: Location Public Hearing about NDOR's preferred alternative

→ NDOR & Corps coordinate on Section 404 permit

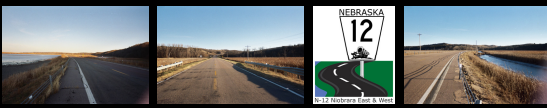
2007

→ October: Corps becomes lead federal agency & determines EIS is needed

2008

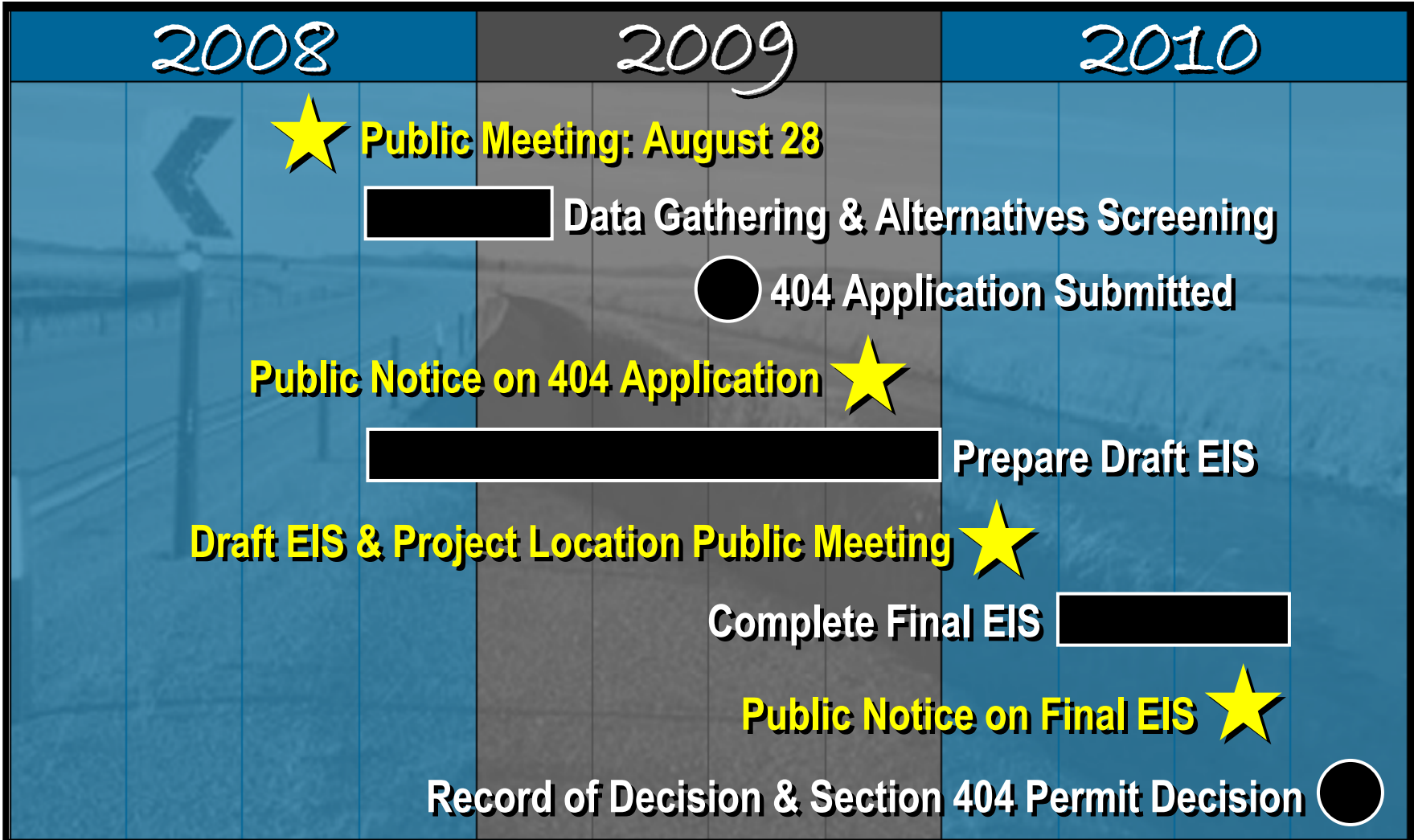
→ March: HDR hired to assist with EIS; August: EIS alternatives analysis begins





N-12 NIOBRARA EAST & WEST PROJECT

EIS SCHEDULE



★: Formal Opportunity for Public Comment/Involvement. Note: Public Input Welcome Throughout Process.





WHY IS THIS PROJECT NEEDED?

reason

To provide a reliable and safe roadway that meets the existing and projected traffic needs of the region.

known roadway issues

- Driver hazards
- Repeated costly roadway maintenance
- Traffic disruption



**OTHER N-12
CONCERNS?**



Questions or Comments? Contact Our Project Team.



Matt Wray - Project Manager
US Army Corps of Engineers Nebraska Regulatory Office Wehrspann Field Office
8901 S. 154th Street, Omaha, NE 68138-3621
Phone: 402.896.0896 Email: Matt.T.Wray@usace.army.mil



Matt Pillard, AICP - EIS Project Manager
HDR Engineering, 8404 Indian Hills Drive, Omaha, NE 68114
Phone: 402.399.1186 Email: Matt.Pillard@hdrinc.com

Why Is This Study Needed?

This Project will use federal funding and requires federal permitting and approval. As such, the responsible federal agency (Corps) must comply with the National Environmental Policy Act of 1969 (NEPA). Based on the Project’s potentially-significant impacts to wetlands, waters of the US, and other environmental impacts, an EIS was determined to be necessary to best evaluate impacts on the human and natural environment.

The EIS will be used by the Project team to make an informed decision about which Project option is the least environmentally-damaging practicable alternative that is in the public’s interest.

ANTICIPATED STUDY SCHEDULE

2008

- Public Scoping Meeting
- Data Collection
- Alternatives Screening
- Draft EIS Development

2009

- Alternatives Impact Evaluation
- Finalize Draft EIS

2010

- Public Information Meeting
- Complete Final EIS
- Prepare Record of Decision
- Corps Issues Section 404 Permit

Preparing an EIS is a multi-step process that includes public input throughout.



US Army Corps of Engineers
N-12 NIOBRARA EAST & WEST PROJECT



Public Meeting - Thank You for Attending
Meeting Purpose

The purpose of this meeting is to introduce this phase of the Project to the public, present the preliminary Purpose and Need, present preliminary alternatives, and gather information from the public about important issues and local concerns.

GET INVOLVED!
OPPORTUNITIES FOR INPUT

Early and ongoing public participation is very important for this Project. Information from the public will help guide the environmental study and alternatives analysis.

The Project team welcome and encourage your input throughout the study process.

Forms are available at this meeting for you to submit written comments. You may also discuss the Project and provide input to any of the Project team members.

Project team contact information is provided on the back of this handout.

Project Description

Two segments of the existing Nebraska Highway 12 (N-12) roadway east and west of Niobrara, Nebraska have experienced flooding and damage due to high water levels associated with the Missouri River. The US Army Corps of Engineers (Corps) and the Nebraska Department of Roads (NDOR) propose to improve or relocate N-12, or implement other measures to eliminate damage from flooding.

A detailed Project location map is provided within this handout. The overall Project purpose is to provide a reliable and safe roadway that meets existing and projected traffic needs for the region.

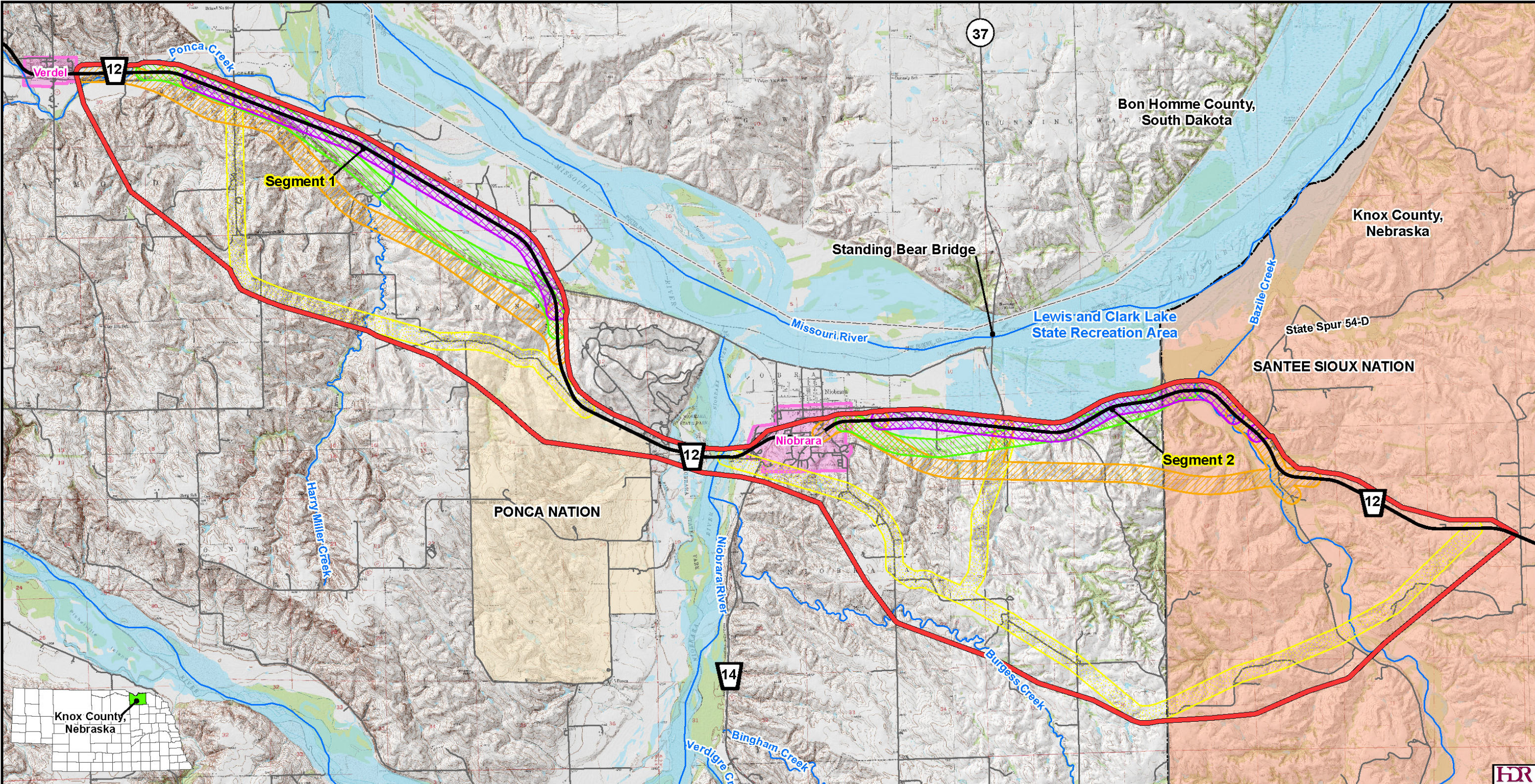
The next Project step is development of an Environmental Impact Statement (EIS). The EIS will be used to evaluate options to ensure that the implemented Project is the least environmentally-damaging, practicable alternative that is in the public’s interest.

Visit the Project Website:

www.transportation.nebraska.gov/projects/niobrara-N12



PROJECT LOCATION MAP



Preliminary Alternative Study Corridors

- Alternative 1 Study Corridor
- Alternative 2 Study Corridor
- Alternative 3 Study Corridor
- Alternative 4 Study Corridor

Legend

- Nebraska Highway 12
- Roads
- Rivers / Streams
- National Wetland Inventory
- Study Area
- Corporate Limits
- Counties

Reservation



- Ponca Nation
- Santee Sioux Nation

Scale

1 0.5 0 1 Miles

Project Location Map

Nebraska State Highway 12
Knox County, Nebraska
Environmental Impact Statement



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Appendix C

Written Scoping Comments

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REV Doug Scheinost
ST Williams
NIO BRARA, NE

Proposal to US Army Corps
of Engineers
RE High water over parts of
US Hwy 12 West East Nebraska NB

Re-distribute silt deposits in Nebraska River to allow
influx of more water from heavy rains to avoid flooding
of Hwy.

Such dredging should not impair/damage existing
banks/levees/dikes.

(Too much dredging might weaken banks/levees/dikes like
they did in ~~New Orleans~~ pre Katrina New Orleans.)



N-12 NIOBRARA EAST & WEST PROJECT

Home Phone - (402) - 857 3699

Please submit comments by September 30, 2008.

I am a certified professional geologist in the state of Nebr. and realize that the Cretaceous Pierre shale along with the interbedded bentonite (altered volcanic ash) layers will cause many "slide" problems if routes 3 or 4 are proposed. Knox County and the Dept of Roads currently spends thousands of \$/year in repairing landslides in the Pierre Shale. Please do not add to the road repair problems that already exist in Knox County - (OVER).

[illegible]

Check here ☐ to be added to the project mailing list.



Please fold, fasten, and mail. No envelope necessary.

Place
Stamp
Here

Matt Wray
US Army Corps of Engineers
Wehrspann Field Office
8901 S. 154th Street
Omaha, Nebraska 68138
Re: N-12 Niobrara East and West Project
2004-10258-WEH

As far as road building materials (base stabilization), I would think that the Cret. Niobrara Chalk would serve as a good product. The Niobrara Chalk material would be a close haul as it is exposed along the old Missouri River Bank on the south side of existing

Hwy. 12.

I would be happy to accompany or help out any way I can in any Geology questions of the area.

Please stick to Route #1.

Thank You.

Wm. R. Ranta



Comment Form

Date: 8-28-08

Please submit comments by September 30, 2008.

- 1. Take Dam out at Yankton. It was suposed to be built above the Niobrara River
- 2. Dredge River & take
- 3. Build Road at Existing location

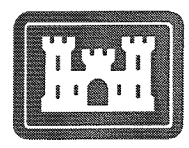
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	GARY MOODY																								
Address:	16 Cottonwood Box 53																								
City:	Niobrara															State:	NC	Zip:	68760						

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





Date: 8-28-08

I have considered all of the alternatives, and have come to the conclusion that the most cost effective plan and least costly would be to take out Grains Point Dam.

The Dam was supposed to be above the Niobrara River. A few political leaders (wealthy ones) convinced the Corps to put it @ Garden instead.

Eventually Lewis & Clark Lake will be one large sand bar if the Dam is not taken out.

Dredging the river would be the next best plan, but would be very costly, and an on-going process. Moving the HW would not be a wise decision. The road now has a sand base -- it won't move. It can be raised if necessary. Putting it on clay gumbo would be a nightmare for the State Dept. of Roads. Also the road would still have to ~~thru~~ ^{provide} access to the town and to recreation areas. Thank you!

YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





Date: 2-28-08

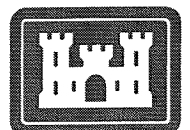
Meeting was a waste of time - should have had presentations - then open to questions everyone could hear.

Not happy with the way this meeting was handled. Very little if any info presented - just verbalization - nothing more than was mailed out.

[illegible]

I do ☐ do not ☒ desire a response.

Check here ☒ to be added to the project mailing list.





Date: 2-28-08

Property owner - 401RS





Date _____

te: 28/08

When I was down 83 yrs ago on the main street of the OLD TOWN
on Hwy. 12. No problems then. Since the DAMN went in -
problems came in with it!

I'm close to the well incident, just out of N. Hobart - near the river. My well has sploshed several times - water table coming up!

Missouri River gets high - Backs up into Nodaway River -
I live next to the old Nodaway River went.

I Don't want to see the Town go! I moved in '74, my Dad witnessed the 1st move of the town (I witnessed the 2nd move)!
Moving to the hills, is bad, As they are slipping, slides galon!

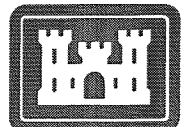
watering & bathing the roads higher & leaving them where they are, — is in my opinion, — the only sensible option.

YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.



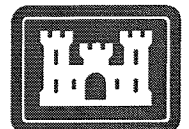


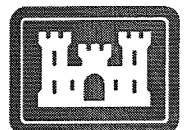
Date: 8-28-08

ALTERNATIVE (1) see good

Name:	R O N A L D H A N S E N				
Address:	89540 516 AVE				
City:	M I O B R A T A	State:	N E	Zip:	68760

Check here ☐ to be added to the project mailing list.







Date: Aug 28, 2008

Please submit comments by September 30, 2008.

Moving the road will severely damage the very existence of Niobrara. I agree with the article in the Niobrara Tribune that eventually something will have to be done about the river. Why not sooner?

The road base on the existing road has remained stable. If it is rerouted through the hills you will encounter unstable areas.

The requirement that for every ~~acre~~^{type} of wetland is lost 2 acres has to be ~~not~~ created is in my opinion is misguided, stupid. In the first place we have thousands of acres of wetlands we never used to have. Just ruined farmland. Again in my opinion good farmland is much more desirable than wetlands.

Raise the road as it exists. Widen it to eliminate the need for guard rails.

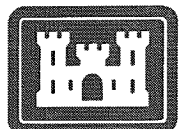
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	William L. Freiburghouse				
Address:	89015 531 ave				
City:	Niobrara	State:	Ne	Zip:	68760

Please check if appropriate:

I do ☐ do not ☐ desire a response.

Check here ☐ to be added to the project mailing list.





Date: Aug 28, 2008

I strongly believe that the current location of Hwy 12 be kept and maintained in its current position. I am convinced that economically it would be the most feasible and reasonable to any others proposed, to all residents / property owners in this area.

[illegible]

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





Date: 08-27-08

It is my personal opinion and also
most of the local people I talk with that
the existing route of Hwy 12 should be
maintained. Dredging the river would be
another alternative. Big problem.

2/RVP

Name:	VIRGIL R REIBLE				
Address:	5703 MAIN				
City:	PULWINGTAN	State:	SD	Zip:	57062

I do ☒ do not ☐ desire a response.



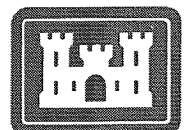
Date: 8/28/08

1. Make the Corp of Engineers responsive to the Public - if not disband the Corp.
2. Leave Hwy 12 where it is just improve it.
by, (a) improve and enlarge the bridges on Basil creek and the Michane Rivers as well as improving the drainage of flows into the Rivers.
(b.) Do ~~the~~ dredging to eliminate the siltation problem.
(c) eliminate excessive farming close to the Neobrona River to help eliminate the sand.
3. Do not move Hwy 12 to the hill because of:
a: numerous land slides
b: Kangaroo Rats live there
(c) It would disturb Indian graves
(d) it is also habitat of the box-tongued toad.

[illegible]

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





Date: 8-28-08

Please submit comments by September 30, 2008.

[illegible]

Check here ☐ to be added to the project mailing list.





Date: 8/28/08

We strongly urge you to improve existing Hwy 12 — widen base, raise it.
We barely survived a move of the town — moving the highway would be the death of it.
You will have to maintain the current hwy for the people that live along it — why build a new road?

Name:	LARRY MEIER
Address:	Box 96
City:	NIOBRARA
State:	NE
Zip:	68760

I do ☒ do not ☐ desire a response.



N-12 NIOBRARA EAST & WEST PROJECT

Comment Form

Date: 8/28/09

Please submit comments by September 30, 2008.

Am Legion Post 224 NIOBRARA WANTS TO GO ON RECORD
AS OPPOSING ANY NEW DEVELOPMENT. FIX THE PROBLEM,
FIX THE RIVER.

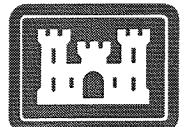
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	L	A	R	R	Y	L	S	H	A	F	F	E	R	V	I	C	E	C	O	M	M	A	N	D	E	R		
Address:	3	4		H	A	C	K	B	E	R	R	Y	N	9	T													
City:	N	I	O	B	R	A	R	A										State:	N	E	Zip:	6	8	7	6	0		

Please check if appropriate:

I do ☐ do not ☐ desire a response.

Check here ☐ to be added to the project mailing list.





Date: 8-28-08

I'm sure the Corps has done its work on all of the studies to move the road.

How about doing a study on what impact it would have on the people and the businesses in Nebraska & the immediate area.

Niobrara has been put through enough in the last 40 years.

We run the only grocery store in Niobrara. If they move the highway — we are finished. We will be forced to move.

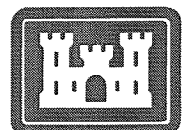
Please consider the impact this would have on the people.

Thank you,
Salem Hamid

Name:	Galen Farnik
Address:	Box 132
City:	Nipbrara
State:	NE
Zip:	68760

I do ☐ do not ☐ desire a response.

Check here ☐ to be added to the project mailing list.





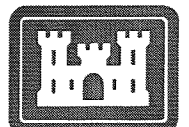
Date: 8/28/08

My personal comments as one of the people who drives on HWY-12 on a daily basis is to seek a safe road, mainly in the winter season, facing snow and high risk of accidents. On the other hand, I want to emphasize:

- YOUR INPUT IS IMPORTANT!** Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Please check if appropriate:

Check here ☒ to be added to the project mailing list.



To whom it may concern:

Due to a prior engagement we could not attend tonight's meeting but we wanted you to know that we stand in opposition of you moving the highway south of Niobrara.

We have owned a business in Niobrara for 20 years and have raised 2 children also. This is our home and have plans of this being our home for many more years.

Your studies have shown that moving the highway is good for you - but have you studied the impact that it will have on our community? The move would ~~be~~ have a terrible impact on our community, and could destroy our town.

Please reconsider what you are doing. Thank you for your time.
Jan-Kris Kotro

HIGHWAY 12 RELOCATION

Rayder Swanson, Knox Co. Board of Supervisors, District 2

Welcome to Niobrara. Third oldest town and one of the newest!

Where the river beds are rising, and the hills are sliding.

Nearly 40 years ago the sedimentation piled up and has continued to pile up in the headwaters of Lewis and Clark lake. To the extent that the town of Niobrara, NE had to be moved to the top of the hill. Beginning in 1974, then in 1996 Highway 12 had to be raised 3' and 4' for several miles on both the east and west sides of Niobrara at a cost of 4 million dollars. This highway raise was done by the Corp. of Engineers contracting a contractor to pile soil crete on the existing road and putting guardrails along the raised sections. The guard rails are a hazard and are continually being run into. These sections of roadway were left unacceptable, and are the subject of the problem. The Nebraska Dept. of Roads have pursued a plan to raise and widen the road bed adjacent to the existing road in the man made wetlands that the sediment has made.

In October our county board was contacted by the NDOR. We were told that the NDOR had not studied alternative routes for Hwy. 12. Corp. of Engineers, USFAW and NPS told the NDOR to study a hill route, and a route following the base of the chalk rock bluffs. Knox County Board passed a resolution to have the NDOR leave the road along and adjacent to the existing highway, and for the 3 Federal Agencies that were involved to use their experience to help with the project and to enhance the area involved.

The resolution the county board passed unanimously, and has numerous letters of support from the area explained the unacceptable use of the hill or bottom of the bluff route.

Again, we call on the Federal Agencies involved to be sensible and realistic, and help NDOR, to complete this highway adjacent to the existing highway. This route has been engineered, plans have been drawn, and public meeting have been held for the NDOR to make an acceptable fix of Highway 12. This 'fix' will cause the least hardship for hardship for landowners or traveling public that use this section of Scenic Biway, Highway 12. This 'fix' should not need to make additional wetland, considering this area is making more and more wetlands as the sediment deposits and the water levels cover more and more productive and riparian river land.

The east part of the west sight , needs to raised much higher than the plans call for. And from Lazy River Acres west, nothing needs to be raise, and only a bridge put in at Spider Creek, halfway between Lazy River Acres and the Ponca Creek Bridge.

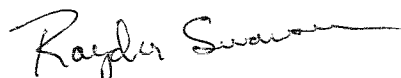
This road needs to be raised before there are high Missouri river flows again.

This road needs to be widened and the guard rails taken away so there are not as many accidents.

I feel that the Santee Sioux and the Ponca Indian Tribes need to be included in this EIS, as cooperating agencies. A solution to the problem will need to some day include dredging and silt transfer.

We feel it is important that our Federal Agencies work together, to get this road raised, adjacent to the existing road, as soon as possible.

Thank you

A handwritten signature in cursive script, appearing to read "Rayder Swanson".

RESOLUTION #2007 - 25

WHEREAS, the Nebraska Department of Roads must relocate Highway 12 east and west of Niobrara due to problems associated with sedimentation of the Missouri River causing water to accumulate on both sides of Highway 12 between Niobrara and Verdel and between Niobrara and the Santee junction, and

WHEREAS the U. S. Army Corps of Engineers, the U. S. Fish and Wildlife Service and the National Park Service have expertise in wetland mitigation and enhancement, and

WHEREAS the raised road could be built with material from this enhancement, and

WHEREAS, the wetlands along the stretch of highway in question are mostly a man-made wetlands which have been and continue to be manipulated by the U. S. Army Corps of Engineers, and

WHEREAS, one of the Nebraska Department of Roads' proposed relocation sites is through and across the rolling hills south and above the current stretch of Highway 12, and

WHEREAS, until 1965, Highway 12 was located in an area on the bluffs, similar to one of the proposed sites. Highway 12 was eventually moved to its present location because Pierre Shale and bentonite soils were prevalent and were subject to slides and unstable conditions, thus creating a substantial risk to the health and safety of citizens using that highway, and

WHEREAS, relocating the highway into the hills will disturb the Native American burial grounds and archeological sites that are in the hillsides south of the stretch of highway in question, and

WHEREAS, the slides on the hills will again become an unmanageable problem if relocated to this area, and

WHEREAS, the second proposed route, which would be located parallel to the base of the bluffs, will be prone to slides covering the road, endangering drivers and having a negative impact on wetlands in the area, and

WHEREAS, relocating the highway will take additional acres out of taxation in Knox County, and

WHEREAS, the current site of Highway 12 is a scenic road for many tourists who come to Knox County and relocating it will disturb the beauty of the area, and

WHEREAS, relinquishment of the current stretch of Highway 12 in question to Knox County if the road is relocated into the hills is a part of the proposal to move the highway, and

WHEREAS, Knox County does not have the financial, equipment or personnel resources to manage the proposed relinquished highway, and

WHEREAS, Knox County would require the current highway to be brought up to standards required for safe driving conditions by the Nebraska Department of Roads before accepting relinquishment of the current Highway 12.

THEREFORE NOW BE IT RESOLVED by the Knox County Board of Supervisors that relocating Highway 12 to either the base of the bluffs, or on top of the bluffs in the area of unstable soils is not recommended and is unacceptable with regard to the health, safety and welfare of Knox County residents and other drivers who will use Highway 12 in the future. Additionally, the Knox County Board of Supervisors specifically approves and recommends that Highway 12 be moved and relocated according to the proposal which places Highway 12 directly adjacent to its present location, and raised, as needed.

PASSED this 8th day of November 2007.

BOARD OF SUPERVISORS
KNOX COUNTY, NEBRASKA

Virgil H. Miller
Virgil H. Miller, Chairman, Dist. #3

Rayder Swanson
Rayder Swanson, Dist. #2

Norman Mackeprang
Norman Mackeprang, Dist. #5

Martin J. O'Connor
Martin J. O'Connor, Dist. #1

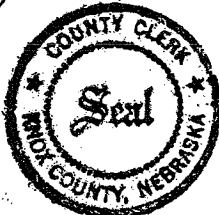
Rick McManigal
Rick McManigal, Dist. #4

Steven Banks
Steven Banks, Dist. #6

Jim Fuchtmann
Jim Fuchtmann, Dist. #7

ATTEST:

Joann M. Fischer
Joann M. Fischer, Knox County Clerk



**Santee Sioux Nation
Tribal Headquarters**

**Chairman: Roger Trudell
Vice-Chairman: David Henry
Treasurer: Robert Campbell
Secretary: Cora Jones**



**108 W. Spirit Lake Ave.
Niobrara, NE. 68760
Phone: (402) 857-2772
Fax: (402) 857-2779**

**RESOLUTION
OF THE
SANTEE SIOUX NATION**

Resolution # 2008-11

WHEREAS: the Santee Sioux Nation is a federally recognized Indian Tribe organized pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984), codified at 25 USC 476, et seq., as amended by the Act of June 15, 1935 (49 Stat. 378), and as amended on August 20th, 2002 by Secretarial Election.

WHEREAS: the Constitution of the Santee Sioux Nation, Article IV, Section 1 (i) authorizes the Santee Sioux Nation Council to promote the general welfare of the Nation, and

WHEREAS: in duly called meeting of the Council of the Santee Sioux Nation on December 4, 2007 discussion were held regarding the Nebraska Department of Roads, Highway 12 Project, East and West of Niobrara due to problems associated with the sedimentation of the Missouri River causing water to be on both sides of the stretch of Highway 12 between Niobrara and Verdel and between Niobrara and the Santee Junction, and

WHEREAS: the Council of the Santee Sioux Nation feels the potential for a negative economic impact to the tribal businesses located along the current stretch of Highway 12, and

THEREFORE NOW BE IT RESOLVED by the Council of the Santee Sioux Nation supports the Knox County Board of Supervisors Resolution #2007-25 request that Highway 12 East of Niobrara not be relocated, but to repaired as needed.

Page 2

Resolution #2007 11

CERTIFICATION

This is to certify that the foregoing Resolution was considered at a Regular Meeting of the Council of the Santee Sioux Nation, duly called and held on the 4th day of December, 2007 and was adopted by a Vote of: 5 FOR; 0 AGAINST; 0 ABSTENTIONS; 2 ABSENT; WITH THE CHAIRMAN NOT VOTING. FOR A TOTAL OF 6 COUNCIL MEMBERS, WITH A QUORUM OF 6 COUNCIL MEMBERS PRESENT.

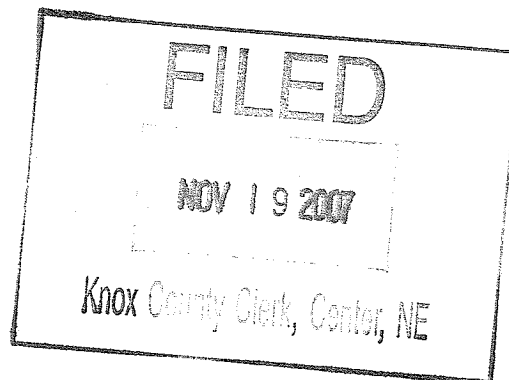


Roger Trudell, Chairman
Santee Sioux Nation



Cora Jones, Secretary
Santee Sioux Nation

November 8, 2007



To Whom It May Concern,

As a member of the Outlaw Trail Scenic Byway Highway 12, I am writing this letter to state that we are in total agreement and wish to support Resolution # 2007 submitted by the Knox County Board of Supervisors.

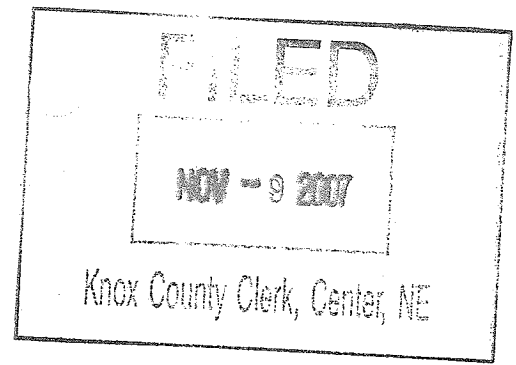
The Outlaw Trail Scenic Byway Highway 12 is an active organization in Nebraska supporting Highway #12 which starts at the small town of Willis, west of South Sioux City and ends at Valentine. It is the desire and request of this organization to maintain Highway 12 at its present location.

Thank you.

Sincerely,

OUTLAW TRAIL SCENIC BYWAY

Marita Placek



Nov. 8, 2007

To Whom It May Concern,

I represent the Outlaw Trail Scenic Byway Highway 12. Our organization is in Agreement with Resolution # 2007, submitted by the Board of Supervisors of Knox County, Nebraska.

As an active organization of Highway 12 from South Sioux City to Valentine we Request Highway 12 be maintained at its present location.

Sincerely,

OUTLAW TRAIL SCENIC BYWAY

Jane Brewster
Past President



608 N Robinson Ave
PO Box 518
Hartington NE 68739-0518
Phone (402) 254-6758
Fax (402) 254-6759

November 16, 2007

Kevin Barta
Knox Co Superintendent
PO Box 85
Center NE 68727-0085

Dear Kevin:

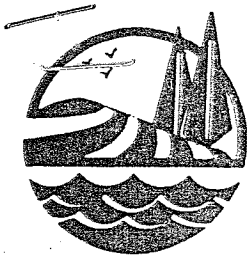
The Lewis & Clark NRD Directors recently discussed the Knox County Supervisors resolution concerning relocation of Highway 12 in the Niobrara area.

We would like to go on record supporting the resolution to keep the location of Highway 12 where it is now. We agree that the logistics and geology of an alternate route in the bluff areas would be extremely difficult and expensive.

Although the Lewis & Clark NRD boundary puts most of the area in the Lower Niobrara NRD, we wish to be consistent with their position to support Knox County as well.

Sincerely,

Tom Moser
General Manager



LOWER NIOBRARA
NATURAL RESOURCES DISTRICT

410 Walnut Street • P.O. Box 350
Butte, NE 68722-0350

Phone: (402) 775-2343
Fax: (402) 775-2334

November 30, 2007

Kevin Barta
Knox County Highway Superintendent
P.O. Box 85
Center NE 68724-0085

Dear Kevin:

The Lower Niobrara Natural Resources District hereby supports the Knox County Board of Supervisors in their efforts that Hwy 12 west of Niobrara not be relocated, but raised as needed.

The project changes would place the new proposed road in an area that would be impossible to maintain a road and also would disturb protected wetlands. We feel that Resolution #2007-25 submitted by the Knox County Board of Supervisors is the proper solution to this issue.

Sincerely,

Duane F. Filsinger
General Manager

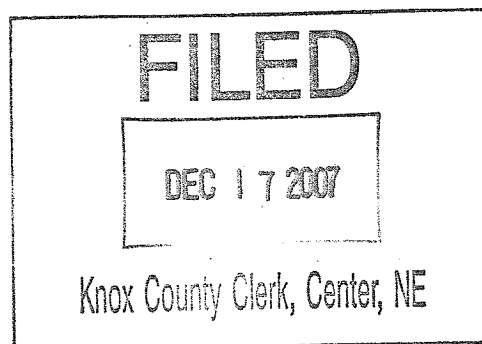
DF/vf

19,655

VILLAGE OF NIOBRARA
PO BOX 227
NIOBRARA, NE 68760-0227
PHONE: 402-857-3565
FAX: 402-857-3824

12-07-2007

Kevin Barta
Knox County Highway Superintendent
PO Box 85
Center, NE 68727-0085



Dear Kevin:

The Village Board of Niobrara would like to express their support for the retention of Highway 12 at the current location both east and west of Niobrara as resolved by the Knox County Board of Supervisors.

It our feeling that benefits derived from raising and improving the road at the current location would far outweigh the problems resulting from moving the road to the bluffs

Thanks very much.

Sincerely yours,

Stanley O. Dryak, Chairman
Village Board of Trustees
Village of Niobrara

19,665



SEP 2 2008

Date: 8-29-08

I would say that your best bet is to put the road on the same place the other one is. You have the material close and have a very good base material to use for the road. Chalk Rock the white material along the hills is a good base material to make a good base. They used this to build the road to the bridge to S.D. That is what is under the road east of Mohrara. I talked to a man when he was young he said we put that rock down first and it still held the road down to this day.

If you put this road through the hills you will have trouble with slides in every hill. It will cost you more money to buy the land and put the road in. You will have the Indian Tribes on you next to stop working it when they find some old things buried there along the old road you will not have to buy half the land because you already own it.

I just hope you make up your mind before the river get to the top of the road we have and it ~~is~~ gets so bad we have to drive slow or it will shake us up

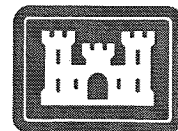
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





SEP 2 2008

Date: 8-29-08

In the 1950's there was no wet lands east of Niobrara. It was farmed land all the way to the river bank.

Highway 12 needs to stay right where it is. The highway isn't the problem the river is. The money that is being wasted on all these studies should be used to clean out the river silt.

To bypass Riohacha with highway 12 would be the end of Riohacha.

Moving the high way up into the hills south of Niobrara would mean more highway problems. Just driving around that area anybody with eyesight can see hillsides sliding. The road from highway 12 across to Center was just closed for road work because of landslides.

1/ Those of us living here are listened² to at all 99%
want the highway to stay where it is.

What was the point of building Standing Bear bridge if the highway isn't anywhere near it?

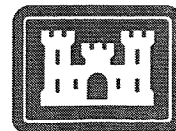
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	Myrna Cline				
Address:	Po Box 44 61 Juniper Rd.				
City:	Niobrara	State:	NE	Zip:	68760

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





SEP 3 2008

Date:

Aug 31, 08

N-12 Niobrara East & West Project

Why Don't The Corps Of Engineers Fix The River Rather Than The Road. If The River Was Fixed The Road Would Be OK. AND The River Would Be A Good Recreation Area Again.

The Corps made the mess, so why not try to fix it.

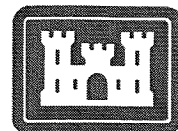
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





RECEIVED
SEP 4 2008
BY: [illegible]

Please submit comments by September 30, 2008.

SEP 4 2008 Date: 9-3-08

The format of the meeting was extremely disappointing. Most people were unhappy! There needed to be a general discussion of the project with some time to ask questions. The stations for discussion would have been alright after an open-general meeting.

The format got away again

In general I like building the road on the ridge as proposed. The yellow road makes the most sense.

I do not think roads right next to the low land should be considered.

one bridge on Nohara only. No state low road.

2016 Extension / Knox County, Center

Perth

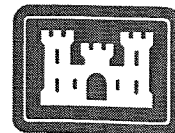
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	Terry Gompert																
Address:	Box 45																
City:	Center										State:	Ne		Zip:	68724		

Please check if appropriate:

I do ☐ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





Comment Form

SEP 4 2008 Date: 9-3-08

Please submit comments by September 30, 2008.

As landowners along Highway 12 we would appreciate it if the Corps of Engineers would step up and take care of the real problems, the river itself & Lewis Point Dam, without more damage & hardship to this area & the people. Our ranch was homesteaded by Thomas Cameron in 1892, no one other than a Cameron has ever lived here. Two of your proposals would cut our place in half, one going right through our calving yards & the other taking more of what little alfalfa ground we have left, ground that we need to feed our cattle. You would put us out of business. Raise the Highway where it is if you need to - widen it through the cables - it's been a good & solid road to those of us that travel it everyday. The highway is not the problem.

Niobrara itself, the farmers & people here, have been through alot because of the Corps. Please dont keep coming back to take even more away to try to correct the wrong made when the dam was put below the mouth of the Niobrara. Please think long & hard about the lives youre affecting.

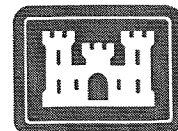
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	Melvin	&	Jo	Cameron	- Ben	Cameron											
Address:	51850		894	Rd.													
City:	Niobrara		NE	68760						State:	NE	Zip:	68760				

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





RECORDED
SEP 8 2008
BY:

Date: 9/3/08

Please submit comments by September 30, 2008.

To Whom It May Concern;

1. As a concerned citizen and land owner on the river north of Verdel I would like to make a few comments. The only true solution to the highway 12 and environmental impact on the region would be to remove the politically placed Gavins Point Dam, as this has caused numerous siltation and flooding problems. The dam should have never been placed below the Niobrara. Many locals at the time expressed their concerns but the engineers knew best as well as the politicians. Now we are faced with aftermath of another governmental screw up!
2. To place the new road on the hills south of Niobrara is just asking for problems with land slides. This has always been a problem as is evident from the road North of Center, NE to Santee, as well as the old Hwy 14 North out of Verdigris. Not a good option!
3. There are areas of 12 now that, at times cause some flooding; however the cost of taking care of these areas as to moving the entire road would be minimal at best.
4. If nothing is done to change the siltation problem, you wouldn't need a road!!! And the environmentalists will have their way. We as local land owners have no rights.
5. We have a cabin on the river and enjoy it very much as well as farm ground behind. We respect and wish to help take care of it and don't feel that outsiders who just come and visit should make decisions as they have in the past, which has caused the problems we face. The road does not carry much traffic and in my opinion should be maintained at its current location.

Sincerely : Dan Ashburn POB 609 Plainview, NE 68769

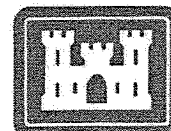
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





Please submit comments by September 30, 2008.

Date: 9 Sept 08

SEP 10 2008

As I Stated in the earlier meeting (1-3) with the other agencies the Ponca Tribe of Nebraska does not want the road moved. Again our suggestion is to do a causeway type roadway over the existing road. So if flooding occurs it would go under & through, also the need to dredge the river of some of it's sedimentation which seems to be the underlying cause of both the increase in flooding and the undermining of the roadway.

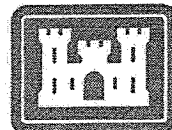
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





Please submit comments by September 30, 2008.

Date: 9-9-08

SEP 10 2008

Moving the road and bypassing the town would be an awful thing for the residents, who have struggled so hard to rebuild after the town was moved in the mid 1970's. Farmers have lost such good farm ground over the years, which has all been turned into a swamp. The river doesn't have enough water in it to have too much boating or water skiing ~~and the lake is too small~~ anymore.

Please see enclosed sheet

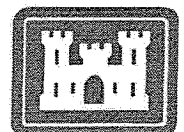
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	Valorie Zach																							
Address:	89140 Highway 14																							
City:	Niobrara														State:		NE		Zip:		68760			

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.



Comment Form
N-12 Niobrara East and West Project

SEP 10 2008
PYC

I understand that the road needs fixed, but please bear in mind, the people of Niobrara have suffered many, many years because of the river issues. The town lost half its population in the mid 1970's when the town was forced to move, and the years after the move have been challenging.

The residents of Niobrara could themselves be likened to the threatened and endangered species. Just as the federal government tries to protect the piping plover, pallid sturgeon and least tern, the people of Niobrara need to be protected from the town becoming extinct.

This town provides a critical wildlife habitat area and also supports the livelihood of businesses tied to recreational sports like hunting, fishing and outfitting. To continue to support the recreation and tourism industry, the town needs to be protected from things that will rob it of anything that will take away what it has tried to rebuild.

This is a high poverty area. In recent years, businesses or job opportunities have not been plentiful in this part of rural Nebraska.

Residents rely upon economic opportunities to provide jobs so they can make their house payments, send their children to college, and pay their health insurance, which the latter of, many don't have but are willing to live here because of other trade-offs, such as low crime and a good quality of life.

The road issue can be solved without harming their way of life. They need that traffic through here in order for the town to survive.

Please try to come up with a plan to benefit them instead of harmfully impacting them.

Please leave the road where it is and do something with the river.

Valorie Zach
Niobrara Tribune Editor
Box 256
Niobrara, NE 68760

8/9/08

Matthew Pillard
HQR Engineering Inc.
8404 Indian Hills Dr.
Omaha, Nebr. 68114

Dear Mr. Pillard

Re: Hwy 12 Niobrara

You are probably wondering why someone in Arizona is writing about Hwy 12 at Niobrara. I was born and raised in Niobrara and still consider it "home".

I remember what Niobrara was like before the US Corps of Engineers built the dams on the Missouri River. I also remember that they were told what would happen when all the sand flowing out of the Niobrara River could not flow down the Missouri River but typical for the Corps they thought they knew best so we got the dams. And as predicted by John D. Forsythe and others the town had to be moved, the state park had to be moved and many other problems occurred. Now the Corp of Engineers want to move the roads and destroy what is left of my "home" town. When I graduated from Niobrara High School I believe the population was about 900 now its less than half that. My parents, grandparents on both sides of my family and great grandparents

on both sides are buried in the
Cemetery in Nebraska and we
believe great great grandparents (Ponca's)
are buried there. I plan to be
buried there too.

I cry when I'm there and see
what used to be the State Park where
we spent so many happy hours.
And it's all because of the U S

Corps of Engineers.

Please don't move Highway 12
and destroy my home town, what's
left of it. Dredge the River or
blow up the dams but don't move
Hwy 12.

Sincerely

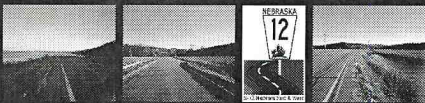
Dolores Braustetter Wilson



USA42

Omaha, Nebraska

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N-12 NIOBRARA EAST & WEST PROJECT

Comment Form

SEP 9 2008

Date: 09/07/08

Please submit comments by September 30, 2008.

I feel if the Corps of Engineers can spend the ^{large} amount of money building sand bars for birds, they should be able to spend money dredging sand out of the Missouri so our road wouldn't get flooded once or twice a year in the spring. When our town was moved & highway 12 was built through the town, promises were made by the Corps of Engineers that the highway would always remain here. If however built highway 12 east & west of Niobrara knew what they were doing. We know it is sitting on water, but at least it's there & is a good solid road. There is nothing wrong with the road, it is the sand that has been built up in the river that has no place to go because of the dam that was built in the wrong place ^{by} Yankton!

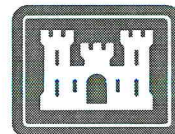
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

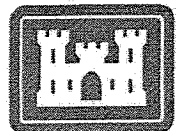
Name:	L	a	R	e	t	a	B	r	a	n	s	t	i	t	e	r															
Address:	P	O	B	O	X		1	2		5	8		W	i	n	d	e	n		S	T										
City:	N	i	o	b	r	a	r	a														State:	N	E	Zip:	6	8	7	6	0	

Please check if appropriate:

I do ☐ do not ☐ desire a response.

Check here ☐ to be added to the project mailing list.





Before Savins Point Dam. went in - We farmed
rented land in the Devils Nest - all our farm
land was on the river bottom, about 350 acres.

The Dam ruined that and we had to move -

We moved west of Nebraska, some of our land
was on the Nebraska River bottom - that is
now flooded every spring because of siltation -
all caused from the Dam.

In 1969 we moved to Nebraska - Not knowing
we would have to move again - all because of
Savins Point Dam. Another Mess!

To solve the problem - Maybe the Corps should
build a Bridge from Verdel to west of Nebraska -
and east of Nebraska to the Caseno - Maybe
that would solve the problem. Be just as
sensible as building an island for the birds.

We realize you have a problem - but raising
the road would seem like the best solution
at least for awhile.

Good Luck.

H. W. Mayberry



SEP 15 2 24 PM '88

9/5/08

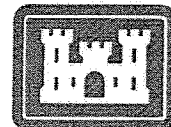
As a land owner near Highway 12 we are urging you to keep the Highway where it is currently located. To try & locate the highway to a different location especially through some treacherous land is ridiculous. The highway also must go through Nobara, because if it doesn't it would be economically detrimental to the town. The town would die out —

To relocate the highway ~~to~~ east of Verdell would probably run into Indian burial sites.

[illegible]

I do ☐ do not ☐ desire a response.

Check here ☐ to be added to the project mailing list.



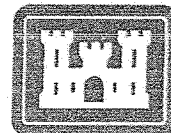


SEP 12 2008

Date: 7-10-08

The problem with Hwy 12 is the river - Not the Hwy Location. Sediment must be dealt with Now, not later. The Dam location was a mistake at the start - the Corp knows this. In 20 years the lake will lose most of its recreation value, the river in the Niobrara area will be unnavigable and all recreation value will go away. The real solution is to remove the dam. Replace power generation with wind power. I don't know if you or I will ever see it, but you know that is the solution. In the mean time, raise the road in its' current location! Any lost wetlands will be replaced 10x over by the continually rising water levels. Isn't that why the road must be raised! Moving the highway would mean killing the town of Niobrara, raising road maintenance due to slides (see all the repair going on now) and would result in the loss of property to landowners, including potentially myself. There are also numerous Native American grave sites along the projected project in my area. Why spend all this money now when you know it won't be a long term solution. If we need a dam for flood control, move it upstream where it should have been originally. Again - the environmental impact is from the dam - deal with it!

Name:	MARK SIMPSON																
Address:	BOX 311																
City:	NIOBRARA										State:	NE		Zip:	68760		





SEP 15 2008

Date: 9-10-08

Please submit comments by September 30, 2008.

To Begin with, The year The Gavins Point Dam At Yankton was complete thing started To silt And our problems Began. We can't change The Past But We can Change The Future. Everything That was Looked At. At The Niobrara meeting is Just A Temporary fix. Someday We're looking At Relocating Verdel, Buying more And More easments, Spending lots & lots more Government money!! I was Born And Raised in Niobrara. Born in 1958 My Grandmother owned A Ranch Above The Missouri River Near Santee. I can Remember looking up And Down The River as Far as you could See And Never seeing A Sand Bar or Cattail Islands. Banks Were High. That was 40 to 42 years Ago - Life Expectancy for The Dam was 50 yrs (Just what I've Been Told). The Bottom Line is The Year The ~~Reed~~ Corps. Decided To Pay Flowage easments And Move The City of Niobrara The Life of The Dam was Gone. There's Been Millions And Millions of Dollars Spent to cover up The Fact That Dam Was and Always Will be in the wrong Place We Didn't have a choice when They Built That Dam, (That should Be Above The Niobrara River, We didn't have a choice when They said Move up the Hill or out of Town. Over A 3 Year Period Back in The Mid 70's I Lost A lot of Classmates And Friends That Didn't Have a Choice, Because Their Parents Decided To Relocate elsewhere Maybe They Would've still Been Here Today, like Me I'm A Businessman In Niobrara, If You By Pass Our Town and Business Drops off (which it will)

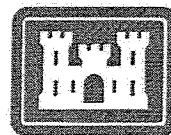
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	JIMMY DEAN ROBINETTE				
Address:	BOX 242				
City:	NIOBRARA	State:	NE	Zip:	68760

Please check if appropriate:

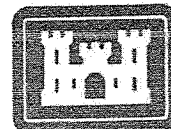
I do ☒ do not ☒ desire a response.

Check here ☒ to be added to the project mailing list.





Date: 9-10-08





N-12 NIOBRARA EAST & WEST PROJECT

Comment Form

SEP 12 2008

Date: 9/11/08

Please submit comments by September 30, 2008.

All of the problems of today have been caused by the mistakes of yesterday. The dam was placed 50 years ago in the wrong area of the river - below 3 tributaries entering the river - the Powder Creek, the Niobrara River, and the Big Horn Creek. All these carry large amounts of sediment and sand into the river. This should have been realized by all of the studies the Corp does. But - politics won out. Since that time, the water table has risen, due to all the sediment. The biggest impact has affected the town of Niobrara. It had to be relocated to higher ground. The "old timers" of Niobrara still are thankful about this. The town lost half of its population and its "soul". Of course, the river has been affected adversely - wetlands have increased greatly, the river is becoming unnavigable with so much sand and sediment. Farmlands and generations of families have become uprooted. Recreational activities are decreasing - affecting tourism - which helps sustain the area. Residents along the Verdugo Creek are also affected - needing to move places. A solution of dredging would help - but it would have to be done 24/7 - like in the delta area of New Orleans. Moving the highway up in the hills would kill Niobrara and turn the area into more swampland. Many slides would occur in the hills from the type of soil (shale). It would be a constant headache for maintenance. We have experienced this on our land - doors needing constant adjustment, walls cracking, foundation moving, etc.

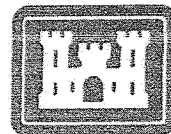
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	PATRICIA	SIMPSON																			
Address:	BOX	311																			
City:	NIOBRARA																	State:	NE	Zip:	68760

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.



So - the only logical long-term
solution - is to remove the dam.
This will allow the silt to flow naturally
downstream - like a river!

This will help restore the Niobrara
to a more natural liveable area.

Raise up the present highway

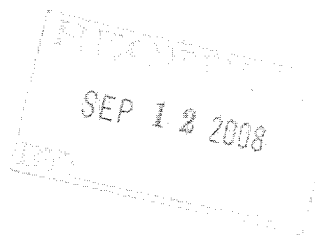
If flood control is needed - place
a dam above the Niobrara River.

The dam has caused the biggest
environmental impact. Consider
wind power for energy needs.

Please consider the human impact.

Thank - you very much.

Patricia Simpson





SEP 12 2008

Date: 9-11-68

Please submit comments by September 30, 2008.

Please submit comments by September 30, 2008.

I think the Road should stay where it is. If you move the road you will hurt all of us in bussiness in the community. We are located in the Lazy River Acres area by the river. We survive because of the river recreation. There is about 200 places down here along the river. You people need to clean the river out so it won't flood the road going to Quakara. We pay alot of taxes down here to support the community and the schools.

Thank you
Bill Palmer

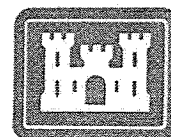
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

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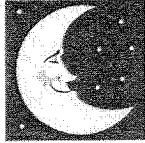
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I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.



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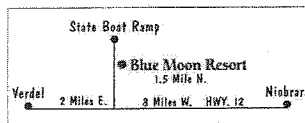
Blue Moon Resort

Bill Robin Ron Julie

89702 518th Avenue • Niobrara, NE 68760-6026

Phone 402-229-3226

- RESTAURANT
- COLD BEER
- CABINS
- DRINKS
- HOOKUPS
- SNACKS
- BAIT
- ICE
- GAS





N-12 NIOBRARA EAST & WEST PROJECT

Comment Form

SEP 17 2008

Date: 9/11/08

Please submit comments by September 30, 2008.

Please do not change our highway 12.

If you could build another Dam above the Niobrara River it could solve all the problems. It was suppose to be there in the first place. When our town moved we lost half the population. If you change the road it would ruin what's left here. The government spends millions of dollars on economic development in these remote areas. Keeping our highway 12 would help in that respect.

Making a new Hgway in the hills would be as expensive as a new dam. There are many Indian graves in the hills. The Natives would have alot to say if you start disturbing them.

Putting the S P Dam in the wrong place has cost us our land already. I hope you decide to build up the Hgway we have.

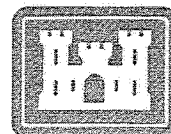
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	TERESA C FONER																							
Address:	PO Box 295																							
City:	Niobrara										NE		68760				State:	NE		Zip:	68760			

Please check if appropriate:

I do ☒ do not ☐ desire a response.

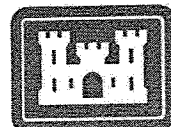
Check here ☒ to be added to the project mailing list.





SEP 16 2008

Flouks
BJ McPherson





SEP 16 2008

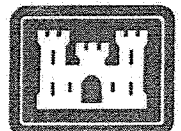
Date: 9/15/08

I live on 532 Avenue, Niobrara, NE. Your fourth alternative route goes directly over some of my property, specifically a large gravel pit. This area is very hilly, with slides, gullies, etc all over it. That is mainly the reason we never got a road built from our buildings north to Hwy. 12. This area is not feasible for a highway. I think the best alternative is to repair and improve the roadway right where it is. Do dredging or whatever in the river and do something at Maiden's Leap to keep the water from going over the road in the spring. That is really the only bad place in this route and could be fixed.

[illegible]

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





Comment Form

Please submit comments by September 30, 2008.

SEP 22 2008
BY:

Date: Sept. 17, 2008

U.S. Corps of Engineers

The Missouri River is your problem - Not Hi-way 12. Dredge The River, use that material, to widen and (at) Raise the Hi-way. Moving 12 over The Hills won't solve anything, only Create more problems, Slide areas, Springs, Etc., It's a giving, we want our town, Niobrara, protected, for us and all the visitors who come. People from Omaha and other cities and states, Come year after year, To hunt, fish and just Relax in The peace and quiet here.

A mistake was made 50 some years ago. The dam should have been built above the mouth of the Niobrara River. But Yankton business men talked louder and the dam was put at Yankton instead.

In the 70's we were moved up here, because the water level was coming up. That move cost plenty, for The Corps and to us Residents.

The Niobrara River will always Run into The Missouri River. The sand and silt will continue to fill The Lewis & Clark Lake.

Last week 4 men of a Construction Crew, working Hi-way 12, west of Verdel, were killed in a slide area. This shows The instability of the hills in this whole area.

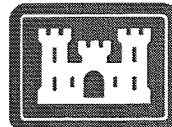
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	MARY JO ROBINETTE																			
Address:	10 COTTON WOOD DR																			
City:	NIOBARRA																State:	NE	Zip:	68760

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





SEP 22 2008

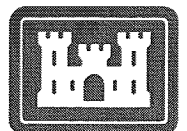
Date: 9-18-08

I live and own a business in the Lazy River Acres area. There are about 170 cabins in this area with about 30 of those being full-time residents. Hwy 12 does not need to be moved. You need to fix the sediment problems with the Missouri River. Moving the road would be deadly to the town of Niobrara & the area. The people here in Lazy River Acres pay high property taxes that support Niobrara & Lynch Schools.

[illegible]

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





RECEIVED

Date: 9/18/08

Please submit comments by September 30, 2008.

WORK ON THE REAL PROBLEM: SEDIMENT IN THE RIVER —
NOT MOVING HIGHWAY 12!

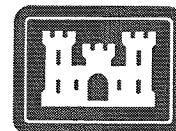
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.



September 19, 2008

Carvel Cooley
P.O. Box 261
Springfield, SD 57062-0261
605-369-2612

Matthew Pillard
HDR Engineering, Inc.
8404 Indian Hills Drive
Omaha, NE 68114

Dear Sir:

The N-12 Niobrara East & West Project is very important to my business.

My family has had four generations of experience with the Missouri River and formal education in geology. We live on the Missouri River 9 miles down river from Niobrara at river mile 835.5

Leaving Highway 12 in its present location is the best engineering plan.

A road in the hills has problems of many slides, too many bridges, a longer route, and poor or no access to farms and ranches.

A road at the bottom of the bluffline involves many bridges, slides, and alluvial fans which can go over the top of a new grade in 15 to 20 years.

The present location of Highway 12 is perfect for dredging material to build a grade. Miles of Interstate 29 at Sioux City, Iowa were built by dredging, and other roads in the United States.

The grade should be more of a causeway than a highway, with turn-offs for emergency parking ...

The Endangered Species Act people should cooperate in a dredging operation as they think nothing of spending 5 million dollars on projects of less merit.

Sincerely,


Carvel Cooley

Copies To: Matt Wray US Army Corps of Engineers

US Senator Ben Nelson



submit comments by September 30, 2008

Date: 09-19-08

Please submit comments by September 30, 2008.

Please find enclosed

Copy of letter to Matthew Pillard HDR

This format does not complement a typewriter.

From: Camel Cooley

[illegible]

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





RECEIVED
SEP 23 2008

Date: 9.20.08

To Whom it may Concern!

As a business owner in Nebraska, I have both personal and business concerns about moving the road.

I would hate to see the road moved and believe it would be an end to our town, plus I can't believe it is necessary to spend that much money.

Thanks
Rozanne

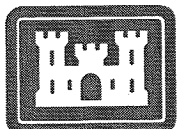
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

Please check if appropriate:

I do ☐ do not ☒ desire a response.

Check here ☒ to be added to the project mailing list.





SEP 23 2008

SEP 23 2008

Date: 9-20-08

Date: 9-20-08

The route over the hills would be a disaster because of springs & seeps. There would be slides & sinking spots in the highway. Not to mention the ~~a~~ various burial mounds to be found in the hills.

The Big mistake was locating the Dam (Savies Point Dam) below the mouth of the fast running water of the Niobrara River, that flows through the Sand Hills. You know the name Niobrara is an Indian word for "Running Water".

Another route would be near the Bluffs from Urad to the Nebraska & from Nebraska to passed Maiden's Leap.

Open the Dam & let the River run free.
The river seems to still being a danger to the town of Niobrara. The clause in the original plan (agreement) was the Corp was to be responsible to preserve our town.

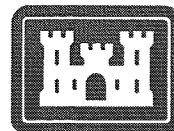
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





SEP 23 2008

Date: 9-21-08

Before Gavins Point Dam was built, people from the Nebraska area warned the Corps of Engineers that the dam would be above the mouth of the Nebraska and the sand would cause havoc. Eventually, the Corp - probably with the help of a politician from Yanbu, named Gavins - decided the Gavins location would be no problem. Now we have some swamps every year.

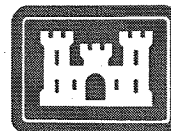
A few years ago when the Dept. of Roads decided to move the highway south of town to along side the hill, people from the Molana area pleaded not to do it because it would strip the springs in the hill and it would slide into the river. A few years and several million dollars later the road was moved to over the top of what was left of the hill. The highway needs to stay where it ~~is~~. The road needs to be widened and raised higher. The bridge across the Ponca needs to be much longer. This may cost a lot of money, but it would be a drop in the bucket compared to the cost of trying to keep a highway built through loose hill from sliding. The other west of Verdell has cost a lot of money and now 4 lives! It is time someone listened to us! Quit persuading us for your mistakes.

YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





N-12 NIOBRARA EAST & WEST PROJECT

Comment Form

SEP 23 2008

Date: 7-22-08

Please submit comments by September 30, 2008.

After attending the public input meeting, didn't think I would comment cause I think they have their minds made up. But after this tragic accident I decided pictures speak more than words. This is what's going to happen over & over again if you decide to go with your plan. Why is it that people who live here all their lives & know the land & the area are told different from people who live in the city & have the name engineers behind it. Common sense tells you local folks know more about the area than anybody just learning out of a book. If you can move tons of sand along the beaches in the Carolinas you can dredge the river here. Always makes me wonder what you would do if you lived here. Niobrara would be hurt if you moved the roads Highway 12 except for a few places that are solid bases. So why not just raise the road?

The 5 million you are spending on the bridge will only last 2 yrs & you'll have to do it again. Now the year you'll will have more in the bridge than redoing Hy 12. We've been here since 1971 & there are more of these bridges now than there was then.

Hopefully the Fish & Wildlife & the Nat'l Park realize what happens when you try to build in the hills. Let's not have anymore deaths over a very stupid idea.

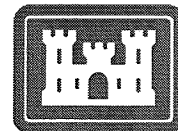
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	Dennis	+	Delores	Hoffman															
Address:	B713																		
City:	Plainview																		
State:	Ne																		
Zip:	68769																		

Please check if appropriate:

I do ☐ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.



Trench collapse happened in landslide area

World-Herald News Service

LINCOLN — A highway construction project near Verdel in which four workers died last week was designed to shore up roadside landslides that have plagued the hilly area, a state official said.

Claude Oie of the Nebraska Department of Roads said several landslide areas along Nebraska Highway 12 were being stabilized with "sheer blocks" put in by workers before repaving the roadway.

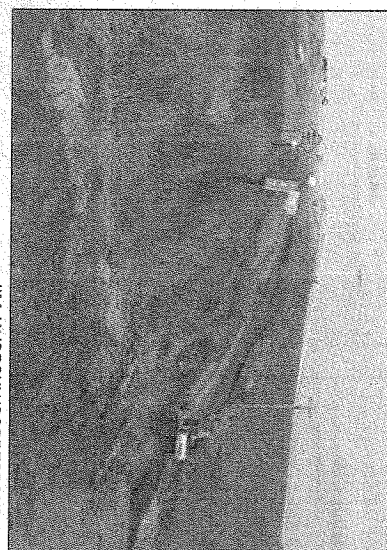
A trench that was dug as part of the stabilization process collapsed Friday morning, burying a worker, Travis Lunn of O'Neill, in a deluge of dirt.

Three other workers also were buried and suffocated when they attempted to save Lunn, 24.

They were David Peterson, 35, of O'Neill; Gary Forsch, 61, of Spencer; and Brad Kelly, 43, of Lynch. All worked for Prouty Construction of O'Neill.

Both Oie and an official with the federal Occupational Safety and Health Administration said Monday that it was too soon to tell how the unstable soil of the area figured into the accident.

The OSHA investigation, which will determine if any safety rules were violated, will take —Please see **TRENCH**, page 8



JIM JAVORSKY/CORRESPONDENT

HIGHWAY 12 in Knox County near Verdel was the scene of a trench collapse that killed four workers last Friday. The accident scene is visible on the lower right.

Trench

Continued from Page 1—

several weeks to complete, said Ben Bare, the Omaha-based area director of the agency.

The history of landslides in the area of the accident was a common topic of conversation.

Knox County Attorney John Thomas said the clay soil on the steep hills in the area slides easily when it gets wet because it sits atop a layer of shale.

"It's just like sliding eggs out of a well-greased skillet," Thomas said.

The cave-in occurred west of Verdel along Highway 12, which sits between the Ponca Creek, a quarter mile to the south, and the Missouri River, about three miles to the north.

Landslides are visible all along Highway 12 west of Niobrara, the county attorney said.

Thomas said that autopsies performed over the weekend indicated that the four workers died of suffocation.

Oie said workers were digging trenches at the base of a hill that are lined with filter fabric, drainage tile, rock and sand that act as a "sheer block" to landslides.

He said a trio of such blocks had already been completed along the highway, without incident, before Friday's accident.

Oie disputed some reports that work on the landslide blocks had been suspended for a time over a disagreement between the contractor and the state over the type of fill dirt required for the job.

The state official said he understood that Prouty, the contractor, was having trouble finding the proper quality of fill dirt required, and that the company may have suspended work until it could be obtained.

O'Neill Mayor Bill Price said the tragedy reverberates through a small town like his.

"You know the people involved, and the families, their significant others . . . it's a huge tragedy," said Price, who knew three of the victims as well as the company owner.

Elsie Eiler, who runs the Monowi Tavern a couple of miles west of the accident site, said many of the road workers would come in daily for lunch.

"I got in the habit of referring to them as 'my road crew.' They were always here," said Eiler, the lone resident of Monowi. "It's kind of like losing a part of your family."

Collapse of trench at construction site kills four

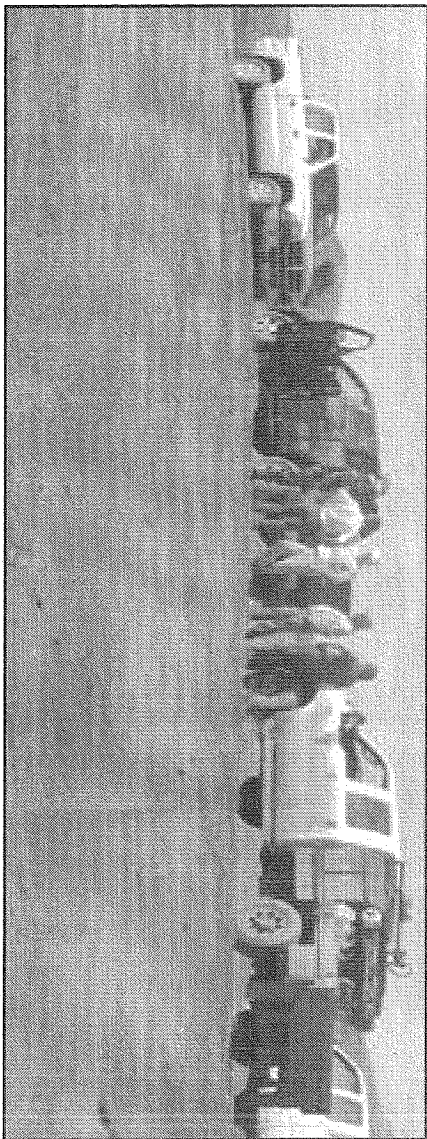
A heavy fog had just lifted last Friday morning, Sept. 12, when a Niobrara fire and rescue personnel's pagers went off. The call came in about 9:15 am and by shortly after noon, local residents were finding out that four men

had died in a road construction accident along Highway 12, west of Verdel.

Three of the construction workers died in the collapse while trying to save a co-worker, who was first trapped and eventually

died, too.

The four men were Travis Lunn, 24, and David Peterson, 35, both of O'Neill; Gary Forsch, 61, of Spencer and Brad Kelly, 43 of Lynch. Lunn was working in the drainage trench when it collapsed.



The site where four men died in a trench collapse was sealed off by law enforcement agencies on Friday, Sept. 12. The cave-in took place toward the beginning of the work day. Three of the men died while trying to rescue a co-worker following an initial cave-in. A second collapse of the trench caught the three others. Tribune photo

Cave-in

ther on the side of a large hill.

Mahon reported that it took 10 minutes to free the first man, five minutes to dig out the second, and the last two were pulled out more quickly because more help had arrived; all the men were unresponsive after being freed and none was breathing. The workers were taken to hospitals in Lynch and Norfolk.

Knox County deputy sheriff Dale Robertson said it looked like water was seeping through the side of the trench where the collapse occurred.

On Friday afternoon, construction and Nebraska Department of Roads officials were protecting the accident scene until the federal Occupational Safety and Health Administration (OSHA) officials arrived.

The accident is being investigated by local, state and federal officials.

The other three died while trying to save him.

"It's a real tragedy," expressed Elsie Eiler, owner of the Monowi Tavern. She fed the workers all summer long at her place of business. "One of them had a little black dog that always rode with him on the equipment," Elsie said. "I just wonder what's going to become of that dog." She said she was sick to her stomach about the incident.

The men worked for John Prouty Construction of O'Neill. According to reports, Eiler said work had been stalled for a time during the summer, after a dispute between project coordinators about the dirt being used for the trenches. The men were laying matting in the trench at the time of the accident.

Brad Mahon, a farmer from Verdel, was one of the first people on the scene, but he and other would-be rescuers couldn't free the men, who were working toge-

Continued on page 20



SEP 24 2008

Date: 9-23-08

Please submit comments by September 30, 2008.

I think dredging a channel and building up the banks and also creating sandbars for the Plover & Tern birds. Also leave the highway where it is and if necessary raise the roadway.

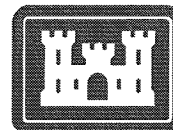
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

[illegible]

Please check if appropriate:

I do ☐ do not ☐ desire a response.

Check here ☐ to be added to the project mailing list.





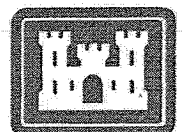
RECEIVED
SEP 26 2008
BY: _____

Date: Sept 22-2008

Making the road through the hills would take lots of dirt moved and many fills which could cause lots of slides in the future.

[illegible]

Check here ☒ to be added to the project mailing list.



Hall, Meagan

From: Wray, Matt, T NWO [Matt.T.Wray@usace.army.mil]
Sent: Friday, September 26, 2008 1:50 PM
To: Pillard, Matt
Subject: FW: N-12 Project

-----Original Message-----

From: therese anderson [mailto:thereseanderson4@hotmail.com]
Sent: Friday, September 26, 2008 12:33 PM
To: Wray, Matt, T NWO
Subject: N-12 Project

Alternative 1 is the correct solution for the town of Niobrara and all parties involved.

It is a known fact Niobrara survives on hunting, fishing and tourism.

Bypassing the town would be detrimental to the flow of tourists and make it more difficult for hunters and fishermen to directly access the town.

Highway 12 is part of the Lewis and Clark scenic river route and now the Outlaw Trail.

Moving highway 12 will devastate Niobrara's economy and also destroy part of a historical scenic route.

The concept of creating a new road, purchasing land and the obstacle of cutting through the hills, does not seem cost effective when there is an established fixable road system in place.

Thank you,

Gary and Therese Anderson
52528 890 RD
Niobrara, NE 68760

Please send correspondence to:
1248 N. 450 E.
Chesterton, IN 46304

Want to do more with Windows Live? Learn "10 hidden secrets" from Jamie.

Learn Now

<http://windowslive.com/connect/post/jamiethomson.spaces.live.com-Blog-cns!550F681DAD532637!5295.entry?ocid=TXT_TAGLM_WL_domore_092008>

To MATTHEW PILLARD
HDR Engineering Inc.
8404 Indian Hills Drive
Omaha NE 68144

I would like to submit a few comments on ALTERING 2 segments of Highway 12. I drive the east portion several times a day into Niobrara Nebraska and have lived in the area my entire life. I also can claim some knowledge of the problems as I worked as project Inspector on most of the roads and bridges in South Dakota since 1962 retiring in 1990.

The main reason you have to do something to highway 12 is siltation if you don't do something in the next 10 years you will not have a highway to fix.

The river bottom from Mike Barker 844 which is the headwaters of Lewis & Clark Lake - has silted in 12 to 15 feet just in the last 25 years. The river I remember had a channel about 300 feet wide and was 15-25 ft deep now the channel has silted in and we have a marsh about 2 miles wide in places and 0 to 4 feet deep.

To give you some graphic examples of the siltation:

- ① In 1950 Knox Co Bridge Commission hired Kirkham, Michael & Associates Consulting Engineers to build a Highway Bridge across the Missouri River. Low Steel Elevation was to be 1219.6 and Maximum high water was 1213.0 The river just this summer and a dry year was at 1217.85 and in 1998 has been at 1221 before the bottom silted in.
- ② The Railroad bridge at the mouth of the Niobrara River is a 3 span Tress bridge each span 150' wide. Low Steel to water about 5 ft. My good friend Robert Eberly of Niobrara Neb. flew a small plane under this bridge in the late 1950s.

Next Page



The Road I drive seems stable BUT HAS A guard rail from the bridge west, which should not be there. The grade is only 6' high and if you removed the guard rail and made the in-shore a 4:1 it would be much safer. I would not object if the road was moved south to the base of the bluff where possible for 3 reasons.

- ① you would only need to rip rap one side (North)
- ② Probably no utilities to fight as it is new location
- ③ The Niobrara formation is an excellent source of embankment, after all the Gavins Point and Ft Randall Dams are almost 100% Niobrara chalk. The material can be worked with standard road building equipment and is easy to load + compact.

I am not as versed on the Verdel to the east segment but what should be looked at is again the base of the bluff as the abandoned railroad followed this route and most of their embankment and route is probably still in place.

Thank You

Richard Hermanek
5303 Spruce Street
Running Water S.D.
57062-6716

P.S. Also another advantage of a new location such as the base of the bluff would be you would not have to carry traffic thru a construction zone. Also Native American graves are in most cases on top of the bluff and the west portion of the project was torn up by the railroad right of way in 1900 so saving artifacts should not be a problem.



SEP 29 2008

Date: SEPT 25, 2008

Please submit comments by September 30, 2008.

After our parents decided to sell the place we bought it 12 years ago and have invested \$50,000-\$60,000 above what we paid for it. We enjoy it here and plan on spending most of the summer here when we retire (3 years)

We feel There is only one option and that would be to dredge The river. It has changed so much and is hard for the boaters and fisherman to figure out where you can get through. Why not put the money into the real problem and let us (160-180 hours) get back to The employment we use to

YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the *appropriate* project team member. Thank you for participating in our public involvement process. *enjoyment we use to have?*

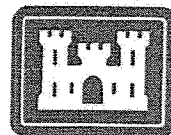
[illegible]

Please check if appropriate:

I do ☒ do not ☐ desire a response.

E mail
DDJAN@cox.net

Check here ☒ to be added to the project mailing list.



(River address 51727 897 Road lot # ⁶~~10~~
Niobrara, NE. 68760)



SEP 29 2008

Date:

9/26/08

Please do not change the Hwy.
so it bypasses the community
of Neopara. By bypassing this
already rural community that
is losing population, you will
destroy this community.

It already, in the last 80 years
has undergone great losses by
moving it, twice! By moving

the Hwy, you will destroy this
wonderful little town, that
money of us will cell never.

Please reconsider this move!

YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name: JESSICA EBY

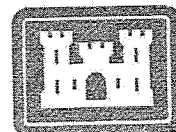
Address: PO BOX 55

City: ONEILL State: NE Zip: 68763

Please check if appropriate:

I do ☐ do not ☒ desire a response.

Check here ☒ to be added to the project mailing list.





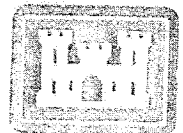
SEP 20 2008

Date: 9/27/08

Please do not move Hwy 12.
I know we don't mean much here in the middle of no-where,
but it means alot to us. It would be nice if you could
build another dam up here. It would solve all the
problems. The siltation has ruined our farm land.
If you move the road it would ruin our town.
Maybe you could build up the present road like
they did in New Orleans. We lost half our
population when the town moved. We are
already struggling! because the Dam was put
down by Yankton - when it should have been
above the Niobrara river and Ponca creek. We
have paid dearly for that mistake. Please don't
make us pay more. Thank you

Name:	D	O	N	A	H	A	N	Z	L	I	K															
Address:	P	O	B	O	X	2	2	6																		
City:	M	I	O	B	R	A	R	A	N	E.	6	8	7	6	0		State:	N	E		Zip:	6	8	7	6	0

Check here ☒ to be added to the project mailing list.





SEP 29 2008

Date: 9-27-08

Highway 12 Relocation

Do not consider this option.

The area is prone to landslides. In light of the tragedy that occurred when four workers were killed, this project needs to be reconsidered.

Needless money has already been spent because of the location of Gavins Point Dam. By fixing that problem you will save millions.

Options

Remove the dam

Raise the highway

Dredge the river

Flush out the sand (a promise made 50 years ago)

Please return the river to normal and in so doing you will alleviate many concerns.

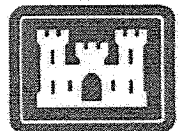
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	Bar	bara	Farr	ar																
Address:	POB	153																		
City:	Niobrara	NE	68760							State:	ME	Zip:	68760							

Please check if appropriate:

I do ☐ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.



COMMENT FORM 09-28-2008 I HAVE LIVED IN THE VICINITY OF THE MISSOURI RIVER MOST OF MY LIFE ..WE HAVE SEEN A LOT OF CHANGES ,SOME GOOD SOME BAD..I GUESS I HAVE TO WONDER ABOUT WHAT THE RIVER WOULD LOOK LIKE TODAY WITHOUT THE GAVINS POINT DAM??WHAT THE ENVIRONMENTAL ISSUES WOULD BE??WOULD THE SILTATION BE AS EXTREME AS IT IS TODAY ??WHAT WILL THE SILTATION LOOK LIKE IN ANOTHER 50 YEARS ??PERSONNALLY I THINK HUMAN INTERVENTION HAS CAUSED THE RIVER TO APPEAR AS IT DOES TODAY .. TO CORRECT OUR ERROR IN ENGINEERING I THINK WE NEED TO MOVE THE SILT AND MAYBE GAVINS POINT DAM ..BECAUSE IN 50 YEARS THE DAM WILL BE FULL OF SILT..THEN HOW VALUABLE WILL IT BE FOR GENERATION , FLOOD CONTROL OR RECREATION ??

L. A. Cameron
5805 Bottom Road
Running water. ~~DE~~ SD
57062

SEP 8 2008



SEP 3 2008

Date: 9-29-08

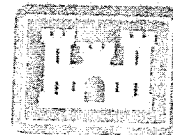
The town has already seen the economy wane because of the silt in the Missouri River. This was caused by the Corps' decision to put Gavins Point Dam at Yankton, S.D. Hunting, fishing and river recreation have been impacted because of sand in the river.

The river problems need to be addressed, not the relocation of the highway. Please consider the "real" problem. Don't put a bandaid on a problem that requires stitches.

Name:	Irene Moody
Address:	P.O.B. 360
City:	Mio brara
State:	NE
Zip:	68760

I do ☐ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





OCT 1 - 2008

Date: Sept 30. 2008

Please submit comments by September 30, 2008.

I am submitting this Norfolk Daily News Clippings. These clippings tell of 4 men dying in a construction sit in the same soil quality that some of the hill routes will pass over. This soil is unsafe for any construction.

There needs to be a plan to dredge the river and make the Raised road out of the sand from the River.

Thank you

Rayler Swanson
Knox County Supervisor
District 2

Name: Rayder Swanson

Address: 88841 521 Ave

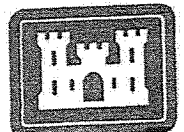
City: Niobrara

State: NE

Zip: 68760

I do ☒ do not ☐ desire a response.

Check here ☐ to be added to the project mailing list.



***CAR-RI LOT#AR-001

760-6009

NORFOLK DAILY NEWS

Tuesday

September 16, 2008

50¢

Trench collapse happened in landslide area

World-Herald News Service

LINCOLN — A highway construction project near Verdel in which four workers died last week was designed to shore up roadside landslides that have plagued the hilly area, a state official said.

Claude Oie of the Nebraska Department of Roads said several landslide areas along Nebraska Highway 12 were being stabilized with "sheer blocks" put in by workers before repaving the roadway.

A trench that was dug as part of the stabilization process collapsed Friday morning, burying a worker, Travis Lunn of O'Neill, in a deluge of dirt.

Three other workers also were buried and suffocated when they attempted to save Lunn, 24.

They were David Peterson, 35, of O'Neill; Gary Forsch, 61, of Spencer; and Brad Kelly, 43, of Lynch. All worked for Prouty Construction of O'Neill.

Both Oie and an official with the federal Occupational Safety and Health Administration said Monday that it was too soon to tell how the unstable soil of the area figured into the accident.

The OSHA investigation, which will determine if any safety rules were violated, will take place later this week. —Please see **TRENCH**, page 8



JIM JAVORSKY/CORRESPONDENT

HIGHWAY
12 in Knox County near Verdel was the scene of a trench collapse that killed four workers last Friday. The accident scene is visible on the lower right.

Trench

Continued from Page 1—

several weeks to complete, said Ben Bare, the Omaha-based area director of the agency.

The history of landslides in the area of the accident was a common topic of conversation.

Knox County Attorney John Thomas said the clay soil on the steep hills in the area slides easily when it gets wet because it sits atop a layer of shale.

"It's just like sliding eggs out of a well-greased skillet," Thomas said.

The cave-in occurred west of Verdel along Highway 12, which sits between the Ponca Creek, a quarter mile to the south, and the Missouri River, about three miles to the north.

Landslides are visible all along Highway 12 west of Niobrara, the county attorney said.

Thomas said that autopsies performed over the weekend indicated that the four workers died of suffocation.

Oie said workers were digging trenches at the base of a hill that are lined with filter fabric, drainage tile, rock and sand that act as a "sheer block" to landslides.

He said a trio of such blocks had already been completed along the highway, without incident, before Friday's accident.

Oie disputed some reports that work on the landslide blocks had been suspended for a time over a disagreement between the contractor and the state over the type of fill dirt required for the job.

The state official said he understood that Prouty, the contractor, was having trouble finding the proper quality of fill dirt required, and that the company may have suspended work until it could be obtained.

O'Neill Mayor Bill Price said the tragedy reverberates through a small town like his.

"You know the people involved, and the families, their significant others ... it's a huge tragedy," said Price, who knew three of the victims as well as the company owner.

Elsie Eiler, who runs the Monowi Tavern a couple of miles west of the accident site, said many of the road workers would come in daily for lunch.

"I got in the habit of referring to them as 'my road crew.' They were always here," said Eiler, the lone resident of Monowi. "It's kind of like losing a part of your family."



Ms. Shirley Mathis
301 E Verdel 1st St.
Niobrara, NE 68760

ASPCA

Sept. 30/08

Matt Wray
8901 S. 154th St.
Omaha, NE 68138-3621

OCT 1 - 2008

RE: New Hwy 12 Construction Proposal

I understand there are talks and plans for future highway construction bypassing Niobrara and surrounding areas. I don't need to mention that if and/or when such takes place, Niobrara and surrounding areas will dwindle. One could say that may be good for the following reasons:

1. Less trading at taverns
2. Less drug trafficking
3. Less trading at "Moody Motors" and other greedy businesses.
4. Less dependency on general Indian, elderly, and handicapped trading (regular monthly government checks)
5. Less highway repairs with a real geologist on board.
6. Less accidents with deer if built high enough
7. More new large developments — homes, restaurants, gas stations, taverns, fishing & hunting businesses, all tied into Ft. Randall Dam route

8. New and exciting scenic route
9. Less litter on environment with a few spots for picnicking and/or camping with regular maintenance
10. More new jobs and more revenue taken in from highway patrol (speeders over 65mph).

However, here are a "few" disadvantages for such construction:

1. More taxes to pay (as if we're not paying enough already).
2. More patrol on highway to interfere with normal traffic, including tractors
3. Loss of further agricultural land
4. Less market value on homes and land and thus less home buyers in Njolara + surrounding areas.
5. More government welfare to people who cannot afford to move for employment
6. Higher unemployment
7. More stress on life in general, compared to "laid-back, peaceful surroundings"
8. Environmental setbacks (wildlife, etc.)
9. More murders and suicides with further unemployment in "bypassed" towns
10. Generally, money over life in every aspect; erosion of the "good life" & natural habitat.

This brings me to mention that I can smell "rats" in the State of Nebraska.

Environmentalists and the Corp of Engineers amongst "study groups" have gotten together to conclude that more revenue would be brought in for the State, as if it needs anymore. With high taxes for the past decades, where has all that money gone? Lincoln and Omaha areas have benefited the most; thus money over life and perhaps with mafia involvement. One can also conclude that with the long delay of Hwy 12 repairs, there has not been any real geologist on board to begin with, but rather a lack of common sense and real interest to help local residents. The Verdel Tavern, "Dew Drop Inn", is going out of business. The recent loss of 4 men ^(their lives) on the construction crew for Hwy 12 project proves that.

I would like to see some investigation into State financial records so that I could find out the "rest of the story" before any further new construction takes place; thus I am against a new highway at this time.

Sincerely,

Shirley Mathis



N-12 NIOBRARA EAST & WEST PROJECT

Comment Form

Please submit comments by September 30, 2008.

OCT 2 - 2008

Date: 9-27-08

Dear Sir:
Please have a review of your project!
We don't need to have any more slides!
The best road - 2 holds up. And for
heavens sake do not by pass the
Town of Niobrara. We need the town
for our community.
All the expense, etc - In turn
pushes our taxes higher. It is almost
unbearable.
I, thank you.
Be like a "woman" Change your mind!!

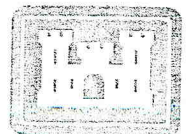
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name: Pearl C. Hanzlik
Address: 306 E. Verdell Maine St.
City: Niobrara, State: Ne. Zip: 68760

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☐ to be added to the project mailing list.





OCT 2 - 2008

Date: 9-28-08

Relocating Hwy 12 should not be an option. It would be very expensive and devastating to the town of Niobrara.

Take Care of the silting problem by dredging or flushing the sand thru the dam. This has to be done in order to keep the water flowing for Electricity at the Dam & for recreational purposes.

YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name: Larry F. Olson

Address: 200 North Third Street

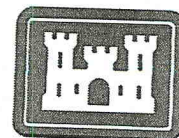
City: Beresford

State: SD Zip: 57004

Please check if appropriate:

I do ☒ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.





Please submit comments by September 30, 2008.

Date: Sept 30, 08

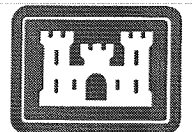
I would like the road to stay where it is for many reasons.

Thank you
Jant J. Swanson

[illegible]

I do ☐ do not ☐ desire a response.

Check here ☐ to be added to the project mailing list.





N-12 NIOBRARA EAST & WEST PROJECT

Comment Form

Please submit comments by September 30, 2008.

OCT 6 - 2008

Date: _____

WE OWN Property Effected By
THIS project BUT NO KNOWLEDGE OF
WHAT IS PROPOSES please INFORM US

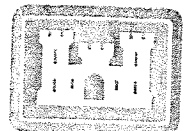
YOUR INPUT IS IMPORTANT! Your comments and questions will be reviewed by the appropriate project team member. Thank you for participating in our public involvement process.

Name:	RAY BRANDT																					
Address:	706 J ST																					
City:	NE 216th										State:		Ne		Zip:		68756					

Please check if appropriate:

I do ☐ do not ☐ desire a response.

Check here ☒ to be added to the project mailing list.



Appendix D

Native American Consultation

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DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NEBRASKA REGULATORY OFFICE-WEHRSPANN
8901 SOUTH 154TH STREET, SUITE 1
OMAHA, NEBRASKA 68138-3621

COPY

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

November 3, 2008

Tribal Operators Director
Iowa Tribe of Kansas and Nebraska
RR 1, Box 721
Perkins, OK 74059

RE: Project Scoping
Nebraska Highway 12 - Environmental Impact Statement
Permit # - 2004-10258-WEH
NDOR Project No. S-12-5(1001), C.N. 31674
Knox County, Nebraska

Dear Tribal Operators Director:

I am writing you to address the proposed Nebraska Highway 12 (N-12) Niobrara East and West Project (Project) for which the U.S. Army Corps of Engineers (Corps) will act as the lead Federal Agency for the purposes of the National Historic Preservation Act (NHPA) and the National Environmental Policy Act (NEPA). The Study Area for the Project will parallel the Missouri River starting just east of Verdel, Nebraska and extending southeast through Niobrara, Nebraska to east of S-54D.

The N-12 Project has been in development for several years. Historic flooding and associated road damage due to the proximity of N-12 adjacent to the Missouri River and Lewis and Clark Lake has occurred since the early 1990's. In 1998, the Nebraska Department of Roads (NDOR) completed a study to improve N-12 to alleviate the roadway problems associated with flooding and high water. NDOR developed a draft environmental document for this Project in 2007 and contacted several Tribes during that time. Due to the need for a Section 404 Permit for the potential wetland impacts associated with this Project, the Corps, having regulatory authority concerning Section 404 of the Clean Water Act, will act as the lead federal agency. An Environmental Impact Statement will be developed in compliance with NEPA and Corps guidelines.

Attached you will find documentation which addresses in greater detail the scope of the Project. In general, the enclosures address:

- List of Tribes contacted
- Copy of Notice of Intent
- Information Packet

I believe that these documents will assist you and your staff in making an initial determination regarding your Tribes desired level of involvement in this Project.

As part of our responsibility, I would like to offer you the opportunity to meet and consult on this Project and discuss any comments or concerns that you might have regarding this proposed Project. Please notify me of your Tribe's interest to meet or consult on this Project as well as your Tribe's interest in participating in the Project scoping and planning effort. Upon receipt of this information from you, a representative of the Corps will contact your designated representative to initiate discussions to address your Tribe's desires. If you received any previous correspondence from this office or from the consultant for the Project (HDR Engineering, Inc.), please accept this information as our formal initial project contact. We look forward to your participation in this effort. Please let us know of any special considerations or accommodations you may require to participate effectively. Additionally, please notify me if your Tribe does not wish to participate, so that we may target our mailing list to interested parties.

Thank you for your consideration of this matter. If you have questions or concerns, please contact Matt Wray at (402) 896-0896 or by email at Matt.T.Wray@usace.army.mil or contact Mr. Joel Ames, NWO Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely,



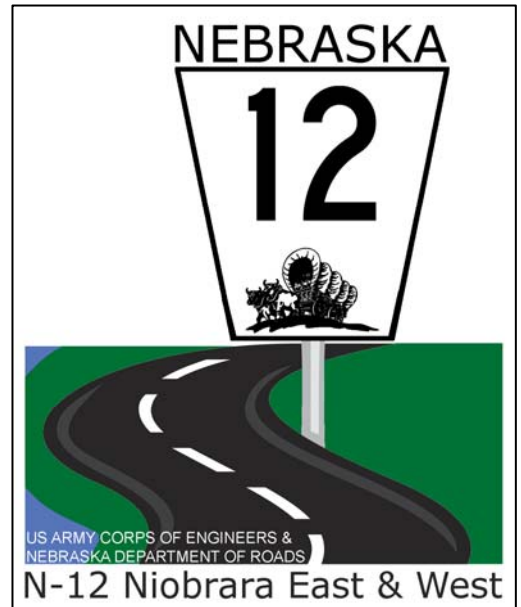
John L. Moeschen
Nebraska State Program Manager

Enclosures:

- 1) List of Tribes contacted
- 2) Copy of Notice of Intent
- 3) Information Packet

CF:

Mr. Joel Ames, Corps



Public Information Meeting - Plan and Summary

Nebraska Highway 12 – Niobrara East & West
Environmental Impact Statement

2004-10258-WEH

S-12-5 (1011), C.N. 31674

September 2009

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Part I - Information Public Meeting Plan

This meeting plan outlines the activities that will be accomplished up to, during, and following the information public meeting for the Nebraska Highway 12 (N-12) Niobrara East & West Project (Project) on July 23, 2009. The lead federal agency for the Project is the U.S. Army Corps of Engineers (the Corps). The Nebraska Department of Roads (NDOR) is the Section 404 Applicant and Project proponent. HDR Engineering, Inc. (HDR) acts as the third-party consultant for the N-12 Project Environmental Impact Study (EIS).

Meeting Location

The public meeting will be held at the WFLA Hall in Niobrara, Nebraska. The contact for the hall is Ken Farnik (402-857-3300). HDR booked the location on June 15. The cost to rent the facility is \$125; the check should be made out to WFLA.

Meeting Materials

Meeting materials and general timing for production will consist of the following items (see Appendix A for meeting materials):

- Announcements – Meeting announcements are discussed in detail below.
- Posters – Meeting posters are discussed in detail below.
- Handouts – Meeting handouts will be provided to the Corps in draft form two weeks prior to the meeting (July 9). Based on the scoping meeting attendance, a minimum of 175 copies will be brought to the public meeting.
- Boards – A draft of the meeting boards will be provided to the Corps two weeks prior to the public meeting (July 9). A final version is needed at least one week in advance of the meeting for final printing.
- Scrolls – A draft of the scrolls will be made available to the Corps by July 9. A final version of the scrolls is needed three working days prior to the meeting for printing (July 20).

MEETING ANNOUNCEMENTS

The public meeting will be announced both two weeks and one week prior to the public meeting. HDR must provide the meeting announcements to the newspapers no later than May 5, 2009. The media outlets and corresponding information for the meetings are:

Yankton Daily Press (Kathy)

- Published daily Monday through Saturday
- Highest circulation on Tuesdays and Saturdays
- Need to submit ad three working days prior to publish date
- Prices: \$919 for a quarter page, \$1333 for a half page with contract, \$1825 for half page without contract
- Pay by Visa or Mastercard, or requires payment by check before the ad could be scheduled

Yankton County Observer (Jim)

- Published on Friday
- Need to submit three working days prior to ad run day
- Prices \$117/ 1 run for quarter page, \$219/ 1 run for a half page (need to double for 2 runs)
- Pay by cash or check
- Bill at the end of month

Niobrara Tribune (Valorie)

- Published on Thursdays
- Need to submit ad four working days prior to ad run day
- Prices: \$56 for quarter page, \$109 for half page
- Bill at end of month, payment by check

Verdigre Eagle (Jeannie)

- Published on Thursdays
- Need to submit minimum two days prior to ad run day
- Prices: \$128 for quarter page, \$268 for half page
- Payment by check

Tyndall Tribune (Gale)

- Published on Wednesday morning, printed Tuesday night
- Need to submit ad three working days prior to ad run day
- Prices \$4.32 per column inch, ½ page is \$285 for 1 run
- Bill at end of the month, no credit card

Avon Clarion (Jack)

- Published on Wednesdays
- Need to submit ad two working days prior to ad run day

The contact information for each paper follows:

Yankton Daily Press & Dakotan
319 Walnut
Yankton, SD 57078
Phone: (605)665-7811
Fax: (605)665-1721
Contact: Cathy Sudbeck
cathy.sudbeck@yankton.net

The Yankton County Observer
1006 Broadway
P.O. Box 98
Yankton, SD 57078
Phone: (605)-665-0484
Contact: Jim
observer@iw.net

Niobrara Tribune
2544 Park Ave
Niobrara, NE 68760
402-857-3737
Contact: Valorie
niobraratribune@yahoo.com

Verdigre Eagle
PO Box 309
Verdigre, NE 68783
402.668.2242
Contact: Jeannie
verdigreeagle@gpcom.net

Tyndall Tribune and Register
1614 Main Street
Tyndall, SD 57066
(605)589-3242
Contact: Gale
ttribune@byelectric.com

Avon Clarion
103 N Main St
Avon, SD 57315
(605) 286-3919
Contact: Jack
avonclarion@hotmail.com

The meeting announcement will also be provided to a Yankton radio news affiliate via email at: news@kynt1450.com.

MEETING POSTINGS

Meeting posters will also be developed that announces the time, place, and reason for the public meetings. They will be posted at the following locations:

Niobrara Public Library/Niobrara
Civic Center
Attn: Bob Olson, City Clerk
25414 Park Avenue Ste 3
PO Box 227
Niobrara, NE 68760-0015
402-857-3565
Email: niolib2@gpcom.net

Tyndall City Library
Attn: Sue Grough
110 W 17th Ave
Tyndall, SD 57066
(605) 589-3266

Verdigre City Public Library
Attn: Mary Pavlik
101 E 3rd St
PO Box 40
Verdigre, NE 68783
(402) 668-2677

Springfield City Library
605 8th St
Springfield, SD 57062
(605) 369-2299

United States Postal Service
Attn: Postmaster
25140 Park Ave Apt F
PO Box 9998
Niobrara, NE 68760
(402) 857-3577

United States Postal Service
Attn: Postmaster
408 S Main St
Verdigre, NE 68783
(402) 668-2612

United States Postal Service
Attn: Don
811 8th St
Springfield, SD 57062
(605) 369-5530

Knox County Extension Office
PO Box 45
308 Bridge Street
Center, NE 68724
402-288-5611
Knox-county@unl.edu

U.S. Army Corps of Engineers
Gavins Point Project Office
Gary Ledbetter
P.O. Box 710
Yankton, SD 57078
Phone: (402) 667-7873

Discovery Center
Attn: Rhonda Kniefl
89705 Highway 81
Crofton, NE 68730

City of Verdel
Jim Eiler
202 Second Street
Verdel, NE 68760
(Will post at Legion Hall)

Farniks Market
Attn: Ken Farniks
PO Box 287
Niobrara, NE 68760

Blue Moon Resort
89702 518 Ave
Niobrara, NE 68760

Flyway
89141 Hwy 14
Niobrara, NE 68760

Jimmy Dean's Lounge
PO Box 242
Niobrara, NE 68760

Niobrara Trading Post
248 Walnut
PO Box 127
Niobrara, NE 68760

Ole's Cafe
PO Box 262
Niobrara, NE 68760

Two Rivers Saloon
25411 Park Ave
Niobrara, NE 68760

Sportsman Bar
25410 Park Ave
Niobrara, NE 68760

The poster will be in color and on legal sized paper (8 ½ x 14). A draft version will be provided for review to the Corps a minimum of three weeks prior to the meeting (by June 29). HDR will mail the meeting posters no later than July 6, so the posters are in place two weeks prior to the meeting.

MEETING FORMAT AND DISPLAYS

The July 23 public meeting will provide an opportunity for public comment and input on the Project's alternative screening process and the alternatives carried forward prior to the issuance of the Draft EIS. The meeting will be used to present the range of alternatives to be evaluated in the EIS and will provide the public an opportunity to comment and provide input on these alternatives. The following provides the details for this meeting:

- Set-Up – HDR staff (Matt P. and Ben F.) will begin set-up for the meeting at 3:00 p.m. Following the completion of set-up, staff will break for dinner at 4:30 p.m.
- Format - The public scoping meeting will have an open house from 6:00 to 7:00 p.m., a formal presentation from 7:00 to 7:30 p.m., a question and answer session from 7:30 to 8:30 p.m. During the open house portions of the meeting, Corps and HDR representatives will be available to answer questions one-on-one with visual displays, handouts, and comment forms.

- Presentation – The presentation will include a series of Powerpoint slides and discussion by representatives of the Corps and HDR. The Powerpoint presentation will be complete no later than June 10. The general Powerpoint slides and presenters are listed below:
 - Welcome and Introductions (Matt W.)
 - Meeting Purpose (Matt W.)
 - Project Purpose and Need (Matt P.)
 - EIS Schedule (Matt P.)
 - Range of Alternatives (Including an overview of each alternative) (Matt P.)
 - Screening Process – Project Purpose and Need and Practicability (Matt P.)
 - Preliminary Screening Results (Matt W. or Matt P.)
 - Next steps (Matt P.)
 - Explanation of Q&A process (Matt P.)
- Question and Answer Session – The question and answer session for the public meeting will follow a series of rules as follows:
 - Stephanie W. will act as the moderator
 - Ben F. will operate the countdown clock
 - Speakers will be called up in the order in which they registered
 - Registered speakers will have up to 3 minutes to discuss their comment and ask their questions
 - Corps and HDR staff will answer any questions
 - All registered speakers will have the opportunity to speak once; those who wish to speak more than once will be added to the end of the list
- Displays – The visual displays will include 30”x 40”boards that will be placed around the WFLA Hall. The draft boards will be submitted to the Corps on July 9, revised by HDR on July 13, and finalized by July 20. The boards should present the following:
 - Welcome (use board from public scoping meeting)
 - Meeting Purpose (new board)
 - Project Purpose and Need (new board)
 - Project History (use board from public scoping meeting)
 - EIS Schedule (update board from public scoping meeting)
 - Alternative Screening Process
 - Preliminary Screening Results (new board showing range of alternatives, screening results, and alternatives carried forward)

- Scroll maps - A series of scroll maps (36"x 48") will be used that will show the alternative centerlines with a 500' buffer (each side of centerline) of preliminary alternatives being carried forward for further evaluation in the EIS. The scroll maps will be on an aerial photograph background. The scrolls will be sent to the printer by July 20.
- Comment Recording – Comments will be recorded via written comment forms provided at the meeting and by collecting verbal comments received at the meeting. A post-meeting briefing will be held by meeting staffers to share all comments collected at the meeting.
- Staffing – The meeting will be staffed by the following:
 - Corps – Omaha District Regulatory, Planning, Tribal (if available) and Real Estate (if possible)
 - HDR – Project Manager, Senior Scientist, and Scientist
 - NDOR – Representatives are recommended to be available to address questions relative to the formation of alternative alignments and preliminary ROW and cost estimations

AUDIO-VISUAL EQUIPMENT

HDR will be responsible to bring a laptop, a projector, extension cords, and a projection screen. Microphones and a public address (PA) system for the presentation and Q&A session will also be supplied.

Meeting Supply List

X	Supply	Notes/Responsibility
	DISPLAY BOARDS <ul style="list-style-type: none"> ▶ Welcome ▶ Project History ▶ Purpose of Meeting ▶ Project Purpose and Need ▶ EIS Schedule ▶ Alternative Screening Process ▶ Preliminary Alternative Screening Results 	Preliminary Alternatives Screening Results display board is unfinished HDR staff will bring to the meeting
	SCROLL MAPS	HDR staff will bring adhesive material
	ELECTRONIC EQUIPMENT <ul style="list-style-type: none"> ▶ Laptop (Kevin F.) 	HDR will bring laptop, projector, and digital camera Audio equipment rented from Midwest

X	Supply	Notes/Responsibility
	<ul style="list-style-type: none"> ▶ LCD Projector (Gina R.) ▶ Digital Camera (Travis) ▶ Audio Equipment 	Sound and Lighting, includes two wireless microphones, one wired microphone with tall stand, two speakers, and one amp
	SCREEN	HDR staff will provide a screen
	<p>MATERIALS</p> <p>Welcome Table</p> <ul style="list-style-type: none"> ▶ Sign-In Sheets ▶ Handout ▶ Comment Forms ▶ Speaker Forms ▶ Project Business Cards???? <p>Speaker Registration</p> <ul style="list-style-type: none"> ▶ Sign-in sheets 	<p>Two sign-in tables will be utilized. Will remove one of the tables after the open house</p> <p>Place a NDOR staff member at sign-in table once presentation begins?</p> <p>Comment forms will be placed within the handout</p> <p>Will need to acquire a comment box</p> <p>Basket placed at sign-in table will be used to collect speaker forms</p>
	<p>REFRESHMENTS</p> <ul style="list-style-type: none"> ▶ Water for Staff Members 	Bring bottles of water for staff only
	<p>SUPPLIES BOX</p> <ul style="list-style-type: none"> ▶ Pens/Pencils ▶ Tape ▶ Scissors ▶ Sharpie Marker, assorted colors ▶ Comment Post-Its ▶ Extension Cord ▶ Directional signage ▶ 10 Easels ▶ Nametags ▶ Batteries ▶ Laser Pointer ▶ Slide Advancer ▶ Stopwatch 	

Staffing Matrix

Name	Company	Role
Matt Pillard	HDR	Presenter
Dick Gorton	HDR	Presenter
Stephanie White	HDR	Moderator
Ben Fisher	HDR	Floater
Matt Wray	Corps	Presenter
John Moeschen	Corps	Presenter
Paul Boyd	Corps	Presenter
John Garrison	Corps	Presenter
Len Sand	NDOR	Advisor
Sara Porter	NDOR	Advisor
Don Turek	NDOR	Advisor

Project Mailing List

The study team maintains a Project mailing list of all interested people, organizations, agencies, and government officials in the Study Area, as well as those who asked to be added at the scoping meeting. The list is used to distribute newsletters, fact sheets (if applicable), notice of meetings and other Project mailings. The mailing list is updated on an as-needed basis based on requests from the public to be added to the mailing list.

Public Comments

In addition to recording comments at both public meetings, written and verbal comments may be received at other times throughout the study process. Written comments received will be shared mutually between the Corps and HDR, with an original copy going to HDR for the Project file. HDR will print a minimum of 200 comment forms. Written comments from the public will be requested to be returned by August 7, but will be received and documented beyond that date.

Verbal comments will be discussed following the meeting on July 23 and documented by HDR. Verbal comments will be recorded on a conversation memorandum and shared mutually between the Corps and HDR.

Emails received will also be shared mutually between the Corps and HDR.

Comments received by NDOR will be asked to be provided to the Corps as they are received for documentation, response, and filing.

Project Newsletter

A Project newsletter will be prepared and distributed to people on the Project mailing list prior to the Public Information Meeting. The newsletters will include the following:

- Notification of the upcoming public meeting
- Project information
- Discussion of the EIS process, including the public input opportunities throughout the study
- Contact information
- Range of Alternatives
- Public scoping meeting summary
- Answers to questions raised during scoping
- Reasons for dismissing Missouri River regulation changes and sediment removal

HDR will prepare a draft for Corps' review by June 29. Newsletters shall be distributed by July 6, a minimum of two weeks prior to the public meeting date.

Project Website

A Project website, found on the NDOR website at <http://www.dor.state.ne.us/projects/niobrara-N12/index.htm>, provides the public with comprehensive information about the Project and the EIS process. A link to this site from the Corps Nebraska Regulatory Office page is also provided at <https://www.nwo.usace.army.mil/html/od-rne/relatedlinks.html>. The information on the website is similar to the information provided at the public meetings. This includes information such as meeting handouts and displays, contact information, and other pertinent Project information. HDR is responsible for coordinating with NDOR relative to sending information to be posted on the website. HDR will deliver meeting materials to NDOR for publication on July 24.

Summary of Anticipated Deadlines

Activity	Anticipated Date of Completion
Locate and reserve A/V equipment (laptop, projector, projection screen, microphones, PA system, extension cords)	June 29
Mail advertisements to newspapers	July 2
Submit draft poster and newsletter to Corps for review	June 29
Draft presentation, boards, and handout sent to the Corps for review	July 9
Mail posters to public locations	July 6
Mail newsletters to Project mailing list	July 6
HDR revise presentation based on Corps' comments HDR revise boards based on Corps' comments	July 13
Request \$125 check for facility rental Print 200 comment forms Print sign-in sheets Print 175 handouts	July 13
Finalize presentation and boards Send boards and scrolls to printer	July 20
Public meeting	July 23
Discuss verbal comments from meeting	July 23
Submit all meeting materials to NDOR Project website	July 24
Request public return comments on alternatives by this date	August 7
HDR summarize received comments	August 14

Part II - Information Public Meeting Summary

Public Comments

Approximately 86 people attended the public information meeting on July 23, 2009 from 6:00 to 8:30 pm at the WFLA Hall in Niobrara. Verbal and written comments from the meeting are summarized below. See Appendix B for a list of attendees. One written comment was received from Rick Spellman.

VERBAL COMMENTS

There were 8 speakers at the public meeting. The speaker's name and a summary of his or her main points are listed below:

1. Mark Simpson
 - He quoted from what had been found on the USACE website: A 2001 study indicates that there are 27,000 acres of wetlands from the Dam to Verdel, there are 150 to 200 acres of wetlands developing each year.
 - How many acres are being impacted by the Project?
 - How many acres of wetlands are being added every year?
 - What is the dam life expectancy?
 - What Tribal concerns are being considered? The Santee feel the river is living and wild and should not be controlled.
 - Yes, there should be flood control, but the dam has to go.
2. June Danielson
 - We are the people of Niobrara.
3. Rick Spellman
 - The travel out of Lazy Acres is critical.
 - This is primarily a sediment issue.
 - The project should wait to decide on a definitive plan of action until the Louis and Clark Sediment Study is complete.
4. Ryder Swanson
 - Representing Knox County, Knox County Supervisor
 - The County recommendation is that the road should stay on the same footprint.
 - There is concern about the bluffs and farmstead.
5. Kevin Schieffer
 - Is there current access to engineering detail?

- What is the extent of the cuts and fills?
 - From a regulation standpoint, how does the EIS affect decision?
 - Who's responsibility is the ongoing costs of the road?
6. Mark Downey
- What are we going to do about the sediment problem?
 - How are we going to eliminate the sediment problem?
 - This is a Gavins Point Dam problem.
 - What is going to happen in 100 years?
7. Mike Killard
- The big picture is, these people depend on this river.
 - When are you going to flood us out?
 - National Park Service is in control, the road is not the problem; it is the river and the people taking care of it.
8. Joe Pinlakma
- Raising the road is a short-term fix.
 - The sediment and Gavins Point Dam are the problem.

POST-MEETING DEBRIEF

Immediately following the end of the public meeting, the Project staff held a debrief to discuss the comments heard during the open house portion of the meeting. Comments heard from the public include:

- Should wait until the Lewis and Clark Lake Sedimentation Study is finished before choosing an N-12 alternative.
- The Base of Bluffs alternative may be in the shadow of the bluffs, causing icing or slippery conditions.
- Question on the location of the NPS boundary and the associated river mile.
- Should dredge a channel to open up flow above Niobrara River to carry sediment.
- Concern from emergency response under the detour scenario.

Other discussions at the post-meeting debrief were:

- Important to add a section in the EIS to discuss the Lewis and Clark Sedimentation Study
- Make information available to public on engineering detail of alternatives at this point.

WRITTEN COMMENTS

Following the public meeting, 11 comments were received, either by mail or by email through August 24. The commenter's name and summary of his or her main points follows:

1. Richard Spellman
 - What is the plan to continue to provide paved vehicular access from N-12 to Lazy River Acres?
 - What is the plan to prevent the higher waters in the Missouri River and Ponca Creek from eventually flooding Lazy River Acres?
 - Why can't N-12 be constructed in its current location?
 - What are all the sources of funding for the proposed project?
 - Why not wait for the Lewis and Clark Lake Sedimentation Study to be completed before making decisions on the N-12 Project?
2. Kenneth Foner
 - Support for the Base of Bluffs alternative.
3. James and Sharon Scott
 - The roadway should stay on existing alignment.
 - Concerns with road slides and other problems associated with building in the bluffs.
4. Charles Nielsen
 - Support for the Parallel alignment.
 - Expense of constructing in the bluffs.
5. Kathy Meier
 - Support for Base of Bluffs.
 - Does not think Detour or One-Way alternatives should be considered.
6. Dean Henn
 - Experiencing a lack of sandbars and wildlife habitat attributed to sediment.
 - Gavins Point Dam is causing the problem.
 - High water levels will remove people from along the river.
7. Mark and Pat Simpson
 - Support for the Parallel alignment based on public opinion
8. Richard Hermanek
 - Concerns with the MNRR boundary.
 - Conflicting management plans of the Corps and the National Park Service.

9. Betty Swanson

- Support for keeping the roadway on existing alignment.
- Concerns with road slides in the bluffs.

10. Lorene Svatos

- Doesn't think west of Niobrara needs work.
- Concerns with building in the bluffs, snow, and road slides.
- Feels raising the road 3-4 feet and deepening Bazile Creek will fix the problem.

11. Jo Cameron

- Against building the roadway in the bluffs.
- Concerns with current amount of wetlands and decrease in farmland.

12. Ben Cameron

- Gavins Point Dam is the problem.
- Support for leaving roadway in place.
- Concerns about roadway stability.
- Concerns with take of private land.
- Meeting with Senator Mike Johanns in Washington, D.C.

13. Teresa Foner

- Support for leaving roadway in place.
- Suggests building a small dam "above the creeks".
- Gavins Point Dam was constructed in the wrong place.

Future Steps

All public comments will be reviewed and considered. The Corps will include a discussion of the Lewis and Clark Lake Sedimentation Study in the Draft EIS under the heading "Related Studies". NDOR will provide requested information to two individuals, Kevin Schieffer and Sandra Warembourg. HDR will write a memorandum to the Corps outlining NDOR's assumptions used to design the roadway; that memorandum will be posted to the Project website. The Corps will finalize alternatives screening based on information received during the public meeting.

Appendix A

Meeting Materials

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N-12 Niobrara East & West

Visit the Project Website:

www.transportation.nebraska.gov/projects/niobrara-n12/index.htm

Project Team Contacts

Matt Wray
Project Manager
US Army Corps of Engineers
Nebraska Regulatory Office
Wehrspann Field Office
8901 S. 154th Street
Omaha, NE 68138-3621
Phone 402.896.0896
Email: Matt.T.Wray@usace.army.mil

Matt Pillard
EIS Project Manager
HDR Engineering
8404 Indian Hills Drive
Omaha, NE 68114
Phone 402.399.1186
Email: Matt.Pillard@hdrinc.com



Matt Wray
US Army Corps of Engineers
Nebraska Regulatory Office
Wehrspann Field Office
8901 S 154th Street
Omaha, NE 68138-3621

N-12 Niobrara East & West Public Meeting

What is the purpose of the meeting on July 23?

The Corps will present the range of alternatives for the Project, discuss the alternative screening process, and seek public input on alternatives that will aid the Corps in finalizing screening to determine the alternatives that will be carried forward in the EIS. If you are unable to attend, all of the information will be available on the Project website listed above.

What is the meeting format?

From 6:00 to 7:00 p.m., the meeting will be in an open-house format to allow participants to talk with Project team members one-on-one. At 7:00 p.m., Project team members will begin a formal presentation. A question-and-answer session will follow at 7:30 p.m. Members of the public who wish to speak during the question-and-answer session will be asked to register and will be called to speak in the order in which they register. Participants who wish to speak during the question-and-answer session may register prior to the meeting by contacting Matt Pillard

(HDR Engineering, Inc.) by email at Matt.Pillard@hdrinc.com or by phone at (402) 399-1186. Participants can also register at the meeting. Each registered speaker will have up to 3 minutes, depending on the number of participants, to state a comment and/or ask a question. Project team members will answer any questions.

Public Meeting:
Mark Your Calendar

When: July 23, 2009
Time: 6:00 – 8:30 pm
Place: WFLA Hall
Spruce and Park Avenues
Niobrara, Nebraska

Open house from 6:00 to 7:00 pm
Formal presentation at 7:00 pm
Q&A session at 7:30 pm



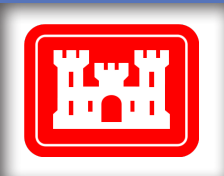
N-12 Niobrara East & West

Project Description

Nebraska Highway 12 (N-12) is an east-west two-lane highway in northeastern Nebraska that provides a route for local residents and through traffic. The intent of the Project is to maintain, improve, or replace with a new alignment, as necessary, the existing N-12 roadway east and west of the Village of Niobrara, resulting in a safe and reliable roadway (the Project).

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Public Meeting Format4



US Army Corps of Engineers and Nebraska Department of Roads

N-12 Niobrara East & West Project

Corps Reviews Alternatives for Detailed Evaluation

The U.S. Army Corps of Engineers (the Corps) would like to announce its next phase in the Environmental Impact Statement (EIS) process for the Nebraska Highway 12 (N-12) Niobrara East & West Project (the Project). Following agency and public scoping, the Corps developed a range of alternatives, including roadway alternatives in the floodplain and roadway alternatives out of the floodplain (see Range of Alternatives). This range of alternatives will not include the concepts of operational changes to the Missouri River or sediment removal from Lewis and Clark Lake (see page 2).

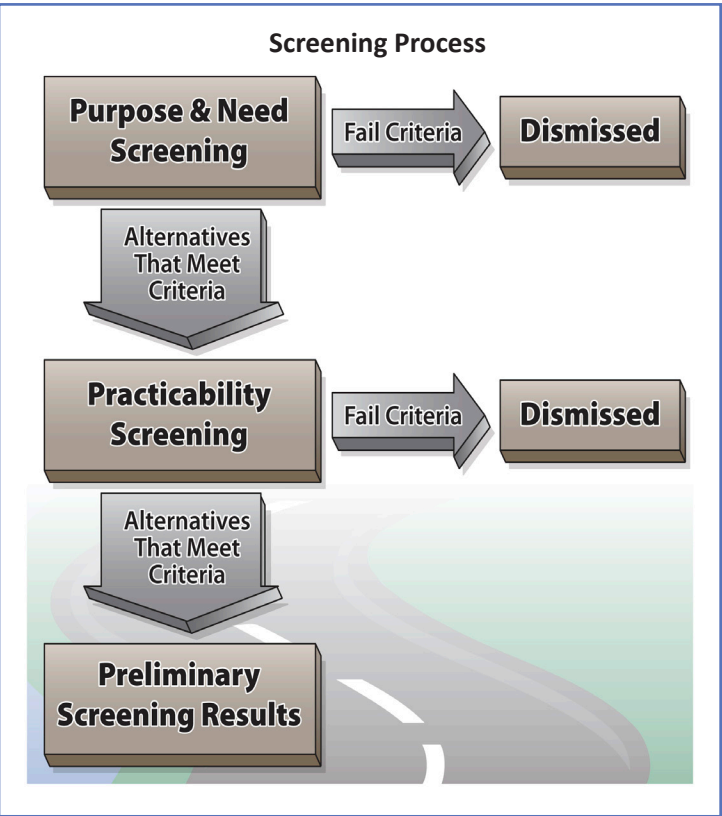
The Corps developed screening criteria to ensure that Project alternatives facilitate the Project purpose and need and are practicable when considering cost, logistics, and technology. It was determined that an alternative could reasonably be eliminated from detailed consideration in the EIS if it fails to satisfy one or more of the screening criteria (see Screening Process).

The Corps has scheduled a public meeting on July 23, 2009, from 6:00 to 8:30 p.m. in the WFLA Hall in Niobrara, Nebraska. The Corps is asking the public for input on the screening process and is seeking information from the public that may assist them with screening the alternatives. An open house meeting will start at 6:00 p.m., a formal presentation will start at 7:00 p.m., and a question-and-answer session will follow at 7:30 p.m.

Range of Alternatives

Alternatives include:

- ▶ No-action alternative
- ▶ Elevation raise on existing alignment with detour during construction
- ▶ Elevation raise on existing alignment with one-way traffic during construction
- ▶ Elevation raise on parallel alignment
- ▶ Elevation raise on base of the bluffs alignment
- ▶ Bluffs alignment
- ▶ South of the bluffs alignment





Corps representative discusses the N-12 Project at the August public scoping meeting.

Public Scoping Meeting Summary

Approximately 140 people attended the public scoping meeting on August 28, 2008, from 6:00 to 8:30 p.m. at the WFLA Hall in Niobrara. Many attendees commented either verbally or in writing at the meeting or mailed comments at a later date. The Corps used the public comments to revise the Project purpose and need and to determine the range of alternatives (see page 1). The

following recurring questions or comments are addressed below and throughout the newsletter.

- Q** How long will Gavins Point Dam be functional?
- A** Given the current sedimentation rate, the Corps estimates that the dam would be functional for 170 years.

- Q** Will access to Niobrara be maintained by all of the alternatives?
- A** Yes, all of the alternatives maintain a connection to Niobrara. Niobrara would not be bypassed by any alternative (see page 3).
- Q** Will a roadway in the bluffs (Pierre shale) be safe or reliable?
- A** Construction would be impacted or influenced by Pierre shale formations. A detailed geotechnical investigation would be required to determine the level and extent; however, design provisions could be made to facilitate construction of a safe and reliable roadway where Pierre shale is encountered.

Reasons for Dismissing Operational Changes to the Missouri River and Sediment Removal from Lewis and Clark Lake

The Corps considered the concept of operational changes to the Missouri River Mainstem System, including decommissioning Gavins Point Dam, and removing sediment from Lewis and Clark Lake. However, these concepts were dismissed for the following reasons:

Operational Changes to Missouri River

- ▶ Operational changes are outside of NDOR’s authority to implement.
- ▶ Flows of the magnitude to regularly and effectively move sediment are dependent on available water in the Missouri River Mainstem System.
- ▶ The release of flows would need to be coordinated with downstream river conditions.
- ▶ High water releases to transfer sediment can create a conflict in the management goals and other authorized purposes of the Missouri River Mainstem System (that is, flood control, navigation, irrigation, hydropower generation, water supply, water quality, recreation, and fish and wildlife).
- ▶ The approval process would inhibit a timely implementation with no guarantee of its authorization.
- ▶ NDOR would still be required to resolve the existing roadway deficiencies.

The concept of operational changes to the Missouri River Mainstem System will not be included in the range of alternatives in the EIS as any potential alternative of this concept would not meet the Purpose and Need for the Project.

Sediment Removal from Lewis and Clark Lake

- ▶ Funding for sediment removal would be required every year for the life of the roadway (typically 50 years).
- ▶ Dredging costs are excessive compared to other alternatives for this Project.
- ▶ NDOR would still be required to resolve the existing roadway deficiencies.

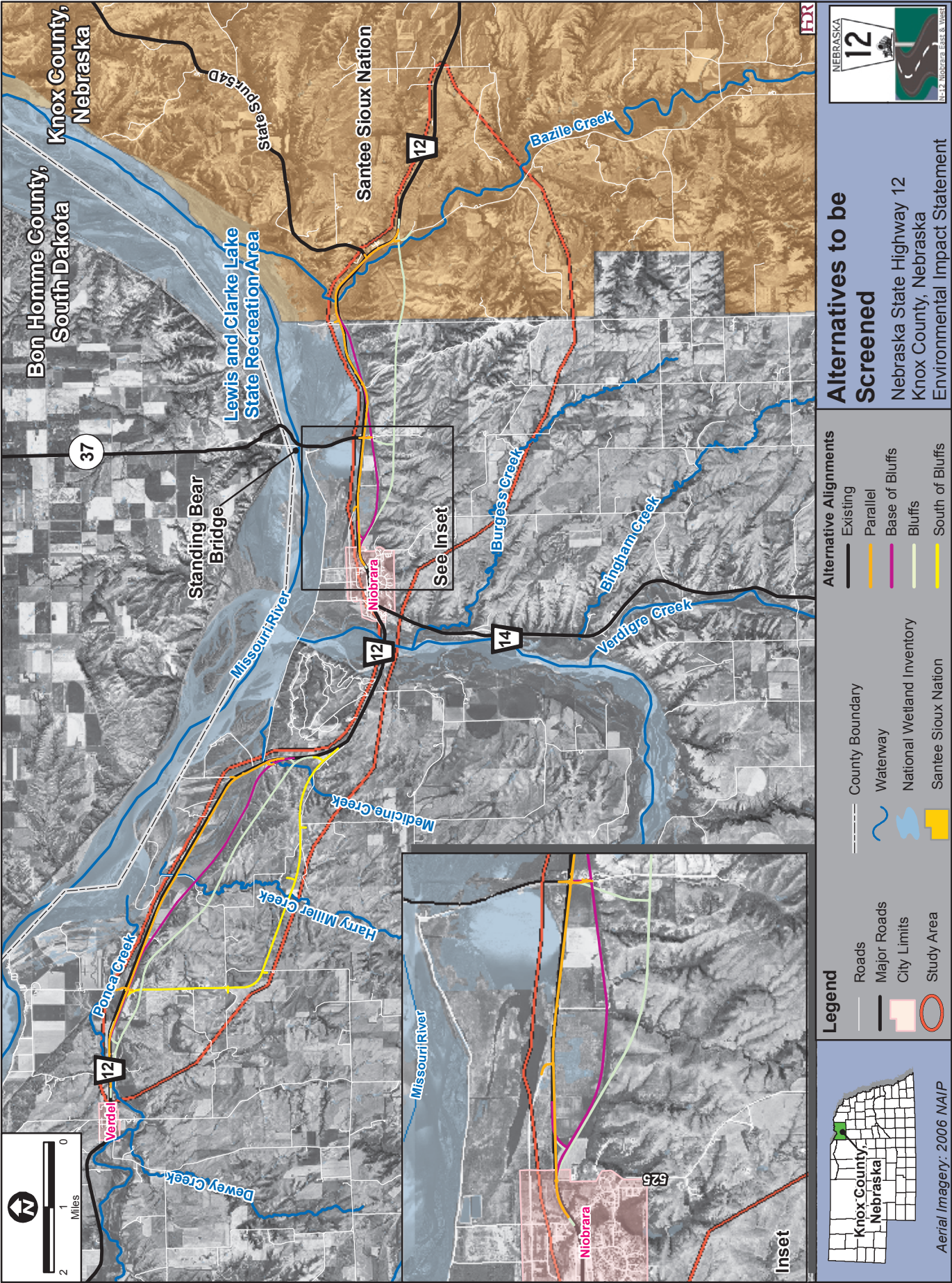
The concept of sediment removal from Lewis and Clark Lake will not be included in the range of alternatives in the EIS due to the excessive cost of this concept compared to other available alternatives.

How Can I Submit Comments?

The Corps encourages all interested parties to submit comments at any time by mail, e-mail or telephone to the Project Team contacts listed on page 4.

What’s Next?

- July 2009
Alternatives Screening Public Meeting
- March 2010
Public release of Draft EIS
- April 2010
Draft EIS/Project Location Public Meeting
- December 2010
Publish signed Final EIS
- March 2011
Record of Decision, 404 Permit decision



Alternatives to be Screened

Nebraska State Highway 12
Knox County, Nebraska
Environmental Impact Statement

Alternative Alignments
Existing
Parallel
Base of Bluffs
Bluffs
South of Bluffs

County Boundary
Waterway
National Wetland Inventory
Santee Sioux Nation

Legend
Roads
Major Roads
City Limits
Study Area

Knox County, Nebraska
Aerial Imagery: 2006 NAIP

THE US ARMY CORPS OF ENGINEERS INVITE YOU TO ATTEND A

N-12 Niobrara East & West Project

PUBLIC MEETING



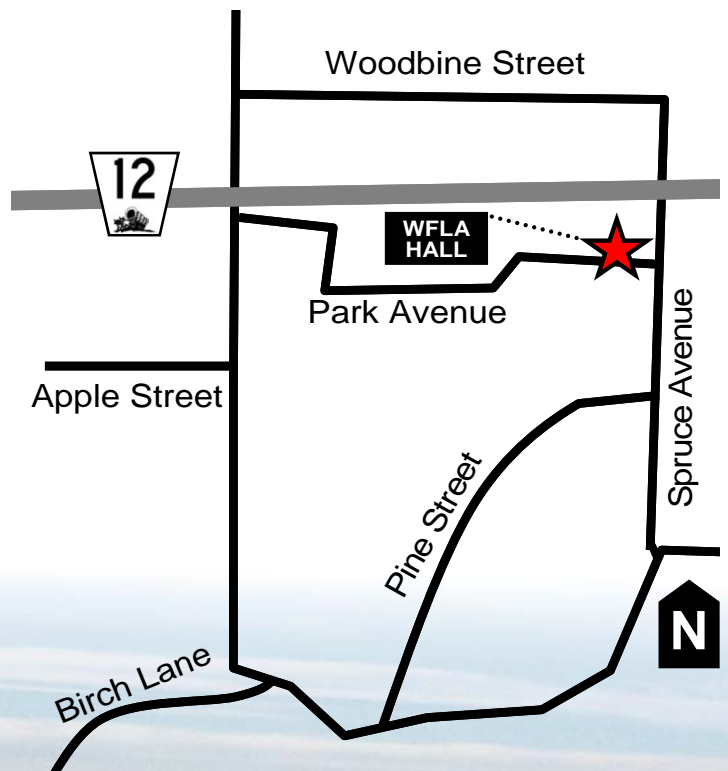
N-12 Niobrara East & West

The U.S. Army Corps of Engineers will present the range of alternatives for the Project, discuss the alternative screening process, and seek public input that will aid the Corps in finalizing screening to determine the alternatives that will be carried forward in the EIS.

From 6:00 to 7:00 p.m., the meeting will be in an open-house format to allow participants to talk with Project team members one-on-one. At 7:00 p.m., Project team members will begin a formal presentation. A question-and-answer session will follow at 7:30 p.m.

Please attend any time between 6:00 p.m. and 8:30 p.m.

**Thursday
July 23, 2009
6:00pm - 8:30pm
WFLA Hall
Niobrara, NE**



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Questions or Comments? Contact Our Project Team.



Matt Wray - Project Manager

US Army Corps of Engineers Wehrspann Field Office
8901 S. 154th Street, Omaha, NE 68138-3621
Phone: 402.896.0896 Email: Matt.T.Wray@usace.army.mil



Matt Pillard - EIS Project Manager

HDR Engineering, Inc.
8404 Indian Hills Drive, Omaha, NE 68114
Phone: 402.399.1186 Email: Matt.Pillard@hdrinc.com

Public Meeting Format

Open House

6:00 PM to 7:00 PM

Project Team members are available to answer questions and help members of the public review information on the boards and maps.

Presentation

7:00 PM to 7:30 PM

Project Team members will deliver a formal presentation on the range of alternatives, the screening process, and the preliminary screening results.

Question and Answer

7:30 PM to 8:30 PM

Each registered speaker will be given up to 3 minutes to state comments and ask questions. Project Team members will answer questions.

What are the next steps?

The Corps will re-evaluate the screening process and determine the Alternatives Carried Forward based on public and agency comments.

The EIS will analyze the environmental damage that cannot be avoided for each alternative. The Corps will use the EIS to make an informed decision about which option is the least environmentally-damaging practicable alternative that is in the public's interest.

The Corps will hold a public meeting after the Draft EIS is released, scheduled for spring 2010. You are welcome to send comments at any time by mail, email, or by phone to the Project Team contacts listed above.

Preparing an EIS is a multi-step process that includes public input throughout.

US Army Corps of Engineers

N-12 NIOBRARA EAST & WEST PROJECT



Thank You for Attending Tonight's Public Meeting

Meeting Purpose

The U.S. Army Corps of Engineers (the Corps) will present the range of alternatives, discuss the screening process, gather your input on the screening process and seek input that will aid in alternative screening.

Range of Alternatives

Developed Following Scoping

- No-Action
- Existing Alignment with Detour
- Existing Alignment with One-Way Traffic
- Parallel
- Base of Bluffs
- Bluffs
- South of Bluffs

Activities Since Last Public Meeting

Following agency and public scoping, the Corps developed a range of alternatives, including roadway alternatives in the floodplain and in the bluffs.

The Corps determined that the concepts of regulation changes to the Mainstem System and sediment removal are unreasonable. See Concepts Eliminated from Further Review inside this handout. The Existing Alignment, the Parallel, the Base of Bluffs, the Bluffs, and the west segment of the South of Bluffs alternatives will be included in the alternatives screening process.

The Corps developed screening criteria to ensure that Project alternatives will facilitate the Project Purpose and Need and is practicable when considering cost, logistics, and technology. An alternative could reasonably be eliminated from detailed consideration in the Environmental Impact Statement (EIS) if it fails to satisfy any of the screening criteria. See Alternative Screening Process inside this handout.

Visit the Project Website:

www.transportation.nebraska.gov/projects/niobrara-N12



Concepts Eliminated from Further Review

Regulation Changes to the Missouri River Mainstem System

The public asked the Corps to consider regulation changes to the Missouri River Mainstem System, specifically large releases to remove sediment or the decommissioning of Gavins Point Dam. The Corps determined that this concept is unreasonable because:

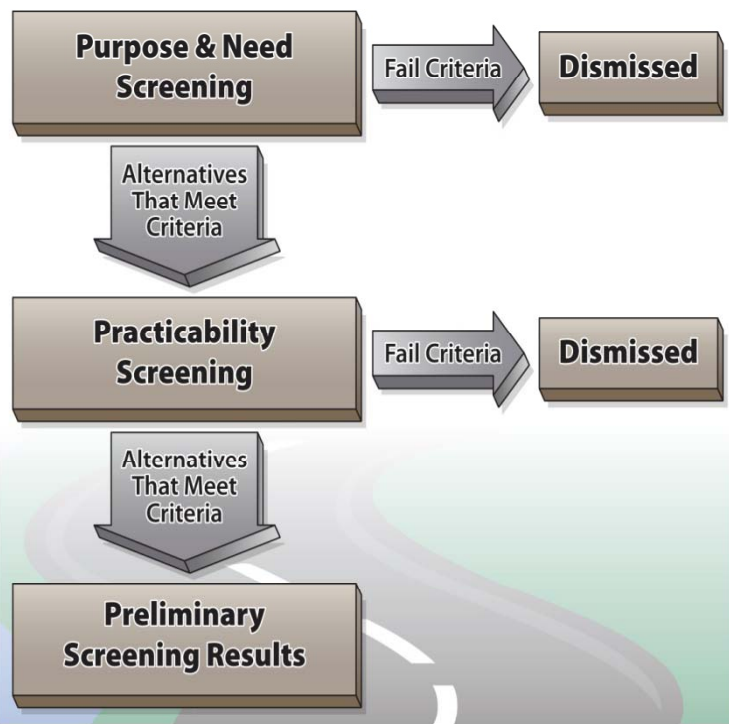
- Flows are dependent upon an adequate quantity of water
- Flows would need to be coordinated with downstream flows and forecasted rainfall
- High releases can cause conflict in goals and authorized purposes of the Mainstem System
- Changes to the Corps’ Master Manual requires evaluation of impacts to all purposes of Mainstem System which is time consuming and may not ultimately support a change
- NDOR still required to resolve existing roadway deficiencies

Sediment Removal from Lewis and Clark Lake

The public asked the Corps to consider removing sediment from Lewis and Clark Lake. The Corps determined that this concept is unreasonable because:

- Funding would be required every year for the life of the roadway
- Dredging costs are excessive compared to the other Project alternatives
- NDOR still required to resolve existing roadway deficiencies

Alternative Screening Process



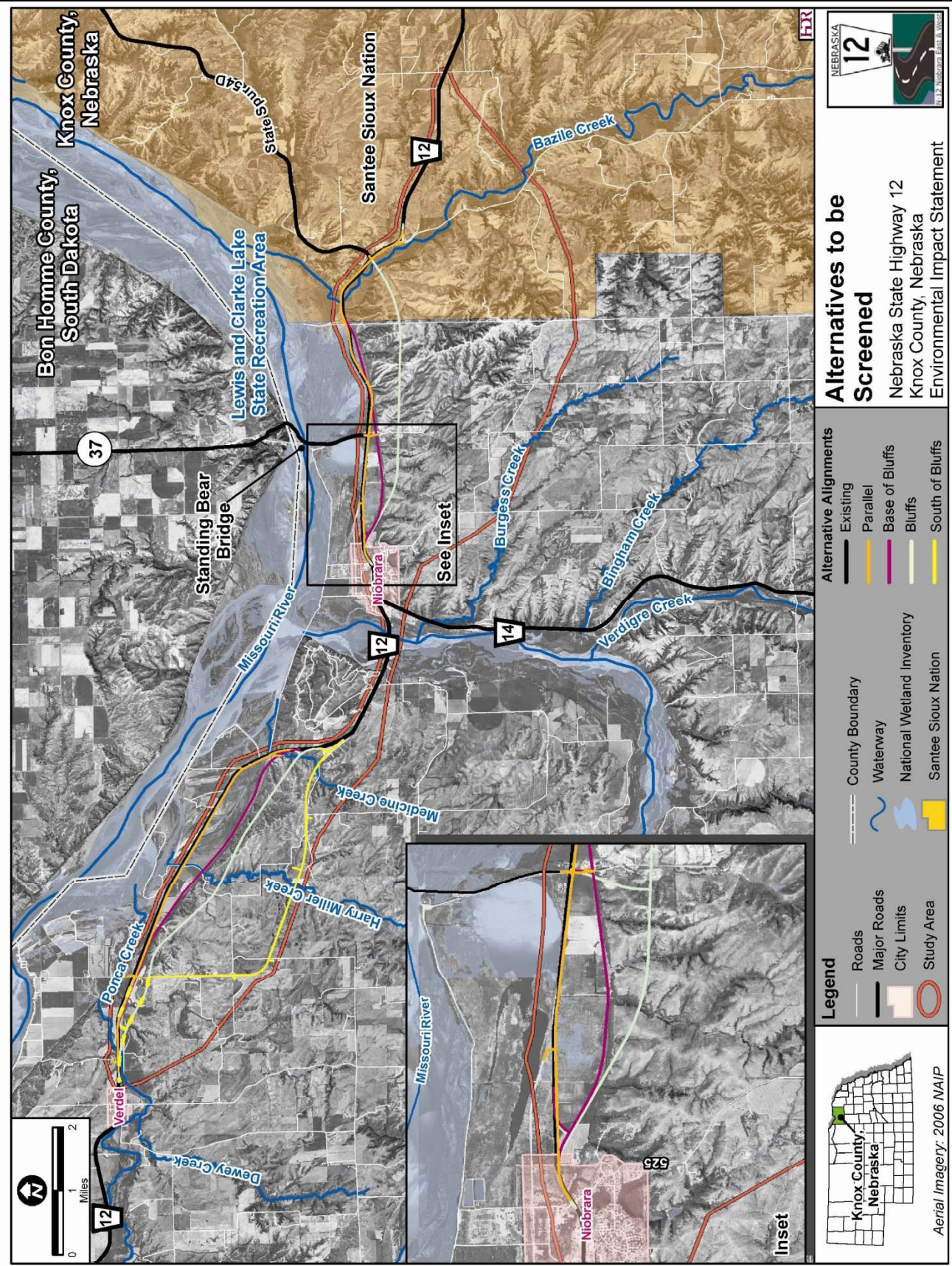
Purpose and Need Screening

The Corps will evaluate the full range of alternatives for their ability to provide a reliable and safe roadway that meets the existing traffic needs and Nebraska roadway design standards. The Corps evaluated each alternative against operational and roadway safety considerations.

Practicability Screening

In order to ensure that alternatives are practicable, the Corps evaluated each alternative against cost and logistical considerations.

ALTERNATIVES TO BE SCREENED MAP





PURPOSE OF THIS MEETING

- Present the range of alternatives
- Discuss the screening process
- Gather your input on this process
- Seek input that will aid in screening



PROJECT PURPOSE AND NEED

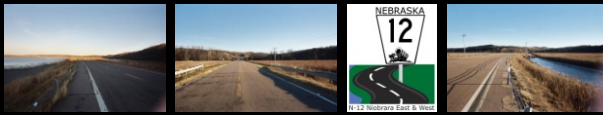
What is the purpose of the N-12 Project?

- Provide a reliable roadway
- Safely accommodate current and future traffic levels
- Maintain regional traffic connectivity

Why is the N-12 Project needed?

- Driven by flooding
- Unreliable roadway, safety concerns, interruption in regional traffic connectivity





SEDIMENT REMOVAL CONCEPTS

What are the concepts and why were they dismissed?

Concept	Description	Reasons for Dismissal from EIS
Regulation Changes	<ol style="list-style-type: none"> 1. Release adjustments from Fort Randall Dam 2. Gavins Point Dam decommissioning 	<ol style="list-style-type: none"> 1. System extremes create inconsistent flows needed for effective water level management; Management for N-12 may conflict with management goals 2. Requires Congressional approval and evaluation for consistency with management goals
Mechanical Sediment Removal	Sediment dredging occurring for the lifetime of the roadway	Initial and ongoing dredging costs exceed cost for other concepts.

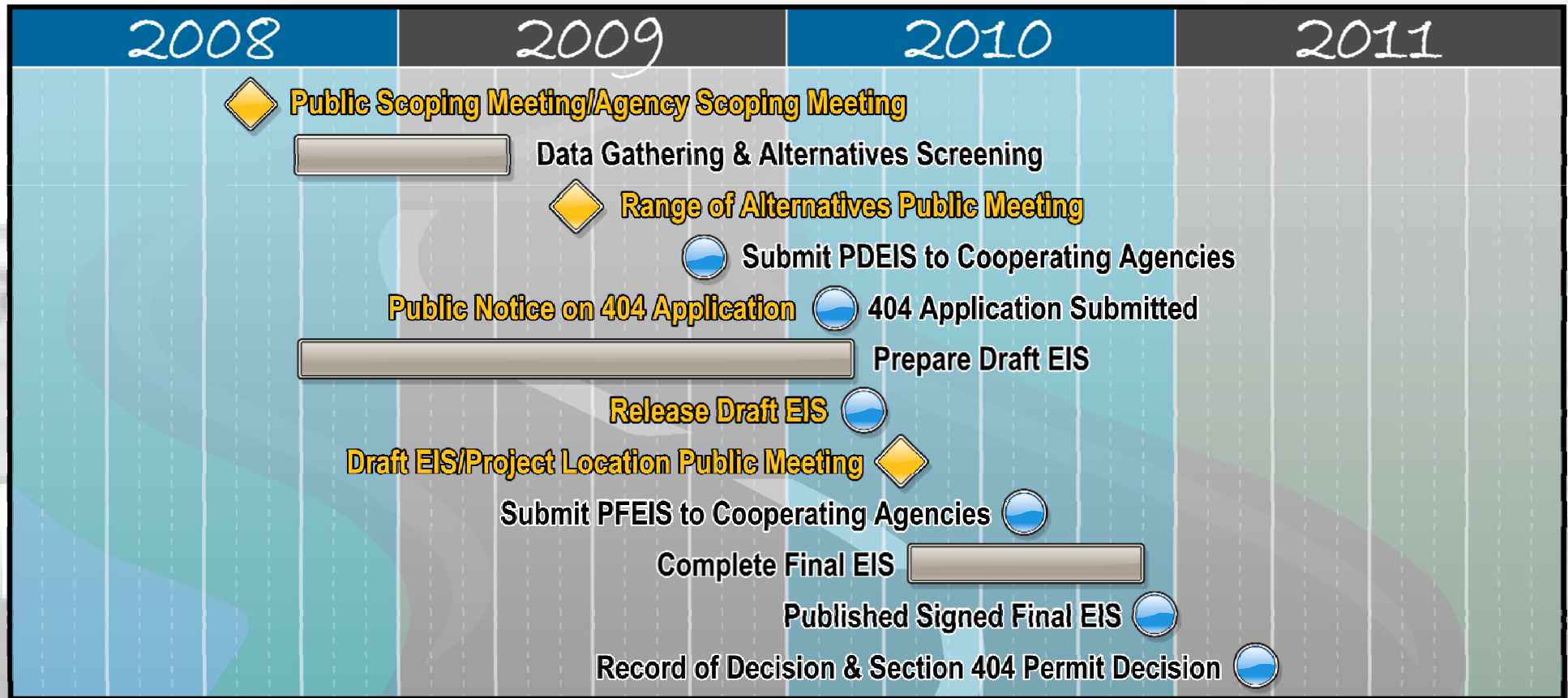
USACE is continuing work on multiple studies focused on Regional Sediment Management (RSM) in the basin. As these studies are completed, USACE will use the results to make sediment management recommendations for the Missouri and Niobrara Rivers.





N-12 NIOBRARA EAST & WEST PROJECT

EIS SCHEDULE

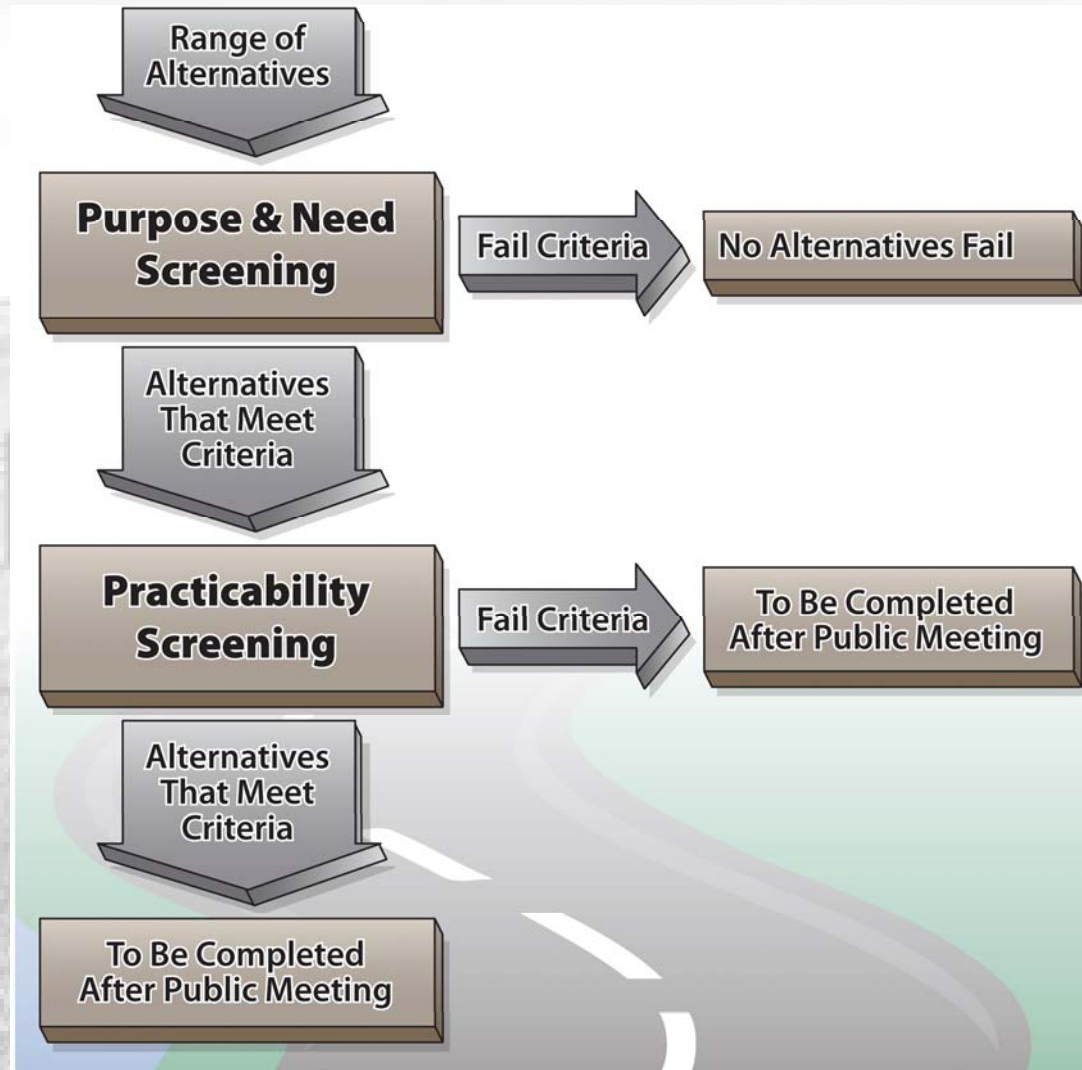


 : Formal Opportunity for Public Comment/Involvement. Note: Public Input Welcome Throughout Process.





ALTERNATIVE SCREENING PROCESS





N-12 NIOBRARA EAST & WEST PROJECT

WELCOME



US Army Corps of Engineers



PROJECT STAFF

Lead Agency (U.S. Army Corps of Engineers)

- Matt Wray – Project Manager
- John Moeschen
- Paul Boyd
- John Garrison

Third-Party Contractor (HDR Engineering, Inc.)

- Matt Pillard – EIS Manager
- Dick Gorton
- Stephanie White/Theresa Baker/Ben Fisher





PURPOSE OF THIS MEETING

- Present the range of alternatives
- Discuss the screening process
- Gather your input on this process
- Seek input that will aid in screening





Corps' Responsibilities

- Manage the National Environmental Policy Act Process for this Project
- Administer the regulations of Section 404 of Clean Water Act





PROJECT PURPOSE AND NEED

What is the purpose of the N-12 Project?

- Provide a reliable roadway
- Safely accommodate current and future traffic levels
- Maintain regional transportation connectivity

Why is the N-12 Project needed?

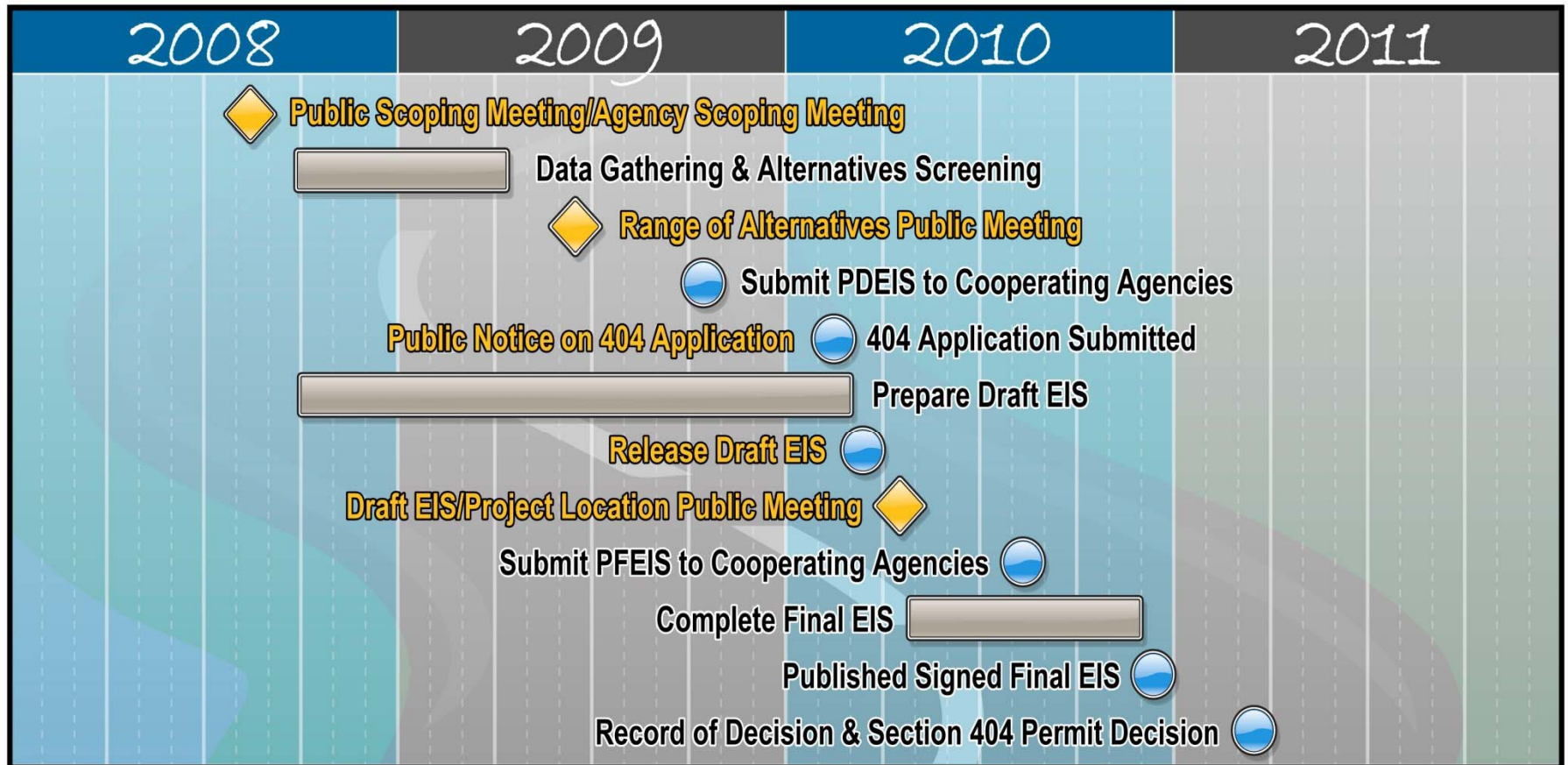
- Driven by flooding
- Unreliable roadway, safety concerns, interruption in regional transportation connectivity






N-12 NIOBRARA EAST & WEST PROJECT

EIS SCHEDULE



 : Formal Opportunity for Public Comment/Involvement. Note: Public Input Welcome Throughout Process.

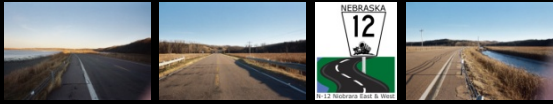




GENERAL CONCEPTS

- **Roadway Alignments in the Missouri River Floodplain**
- **Roadway Alignments not in the Missouri River Floodplain**
- **Mainstem System Regulation Changes (Flushing, Dam Removal)**
- **Lewis and Clark Lake Sediment Removal**





ARE THE CONCEPTS REASONABLE?

- **Roadway alignments are reasonable**
- **Reservoir regulation changes not reasonable**
 - Flows dependent upon adequate quantity of water and downstream conditions
 - Conflicts with management goals for some of the authorized purposes
 - Congressional approval and review for impacts to other authorized purposes
- **Sediment removal not reasonable**
 - Dredging every year for lifespan of roadway
 - High cost compared to other concepts





RANGE OF ALTERNATIVES

- **No-Action Alternative**
- **Existing Alignment – Detour**
- **Existing Alignment – One-Way Traffic**
- **Parallel**
- **Base of Bluffs**
- **Bluffs**
- **South of Bluffs**





NO-ACTION ALTERNATIVE

- Provides a baseline for comparison of impacts of action alternatives
- Used for comparison purposes only





EXISTING ALIGNMENT – DETOUR ALTERNATIVE

- Raising the elevation on the current alignment
- N-12 closed for 2 years
- N-14 to Standing Bear Bridge closed for 4 months
- Local and through-traffic detours
- Post-construction access unchanged

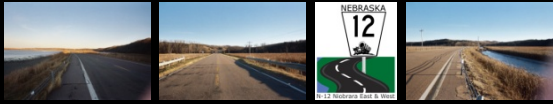




EXISTING ALIGNMENT – ONE-WAY TRAFFIC ALTERNATIVE

- Raising the elevation on the current alignment
- One lane of traffic maintained throughout construction
- Traffic control and staged construction
- Construction time-frame would be 2-2.5 years
- Post-construction access unchanged





PARALLEL ALTERNATIVE

- Raised-elevation parallel and adjacent to existing N-12
- Uninterrupted traffic on existing roadway during construction
- Asphalt on existing N-12 demolished
- Portions of the embankment remain for wave protection for new roadway
- Post-construction access unchanged

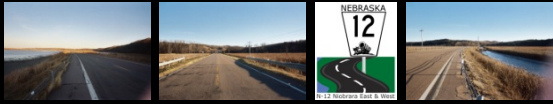




BASE OF BLUFFS ALTERNATIVE

- Shifts alignment south to the base of the Missouri River bluffs
- Uninterrupted traffic on existing roadway during construction
- Asphalt on existing N-12 demolished
- Portions of the embankment remain for wave protection of new roadway
- Post-construction access unchanged





BLUFFS ALTERNATIVE

- New alignment of N-12 in bluffs
- Uninterrupted traffic on existing roadway during construction
- All N-12 roadway and embankment demolished
- Access to Niobrara maintained, other access to be determined





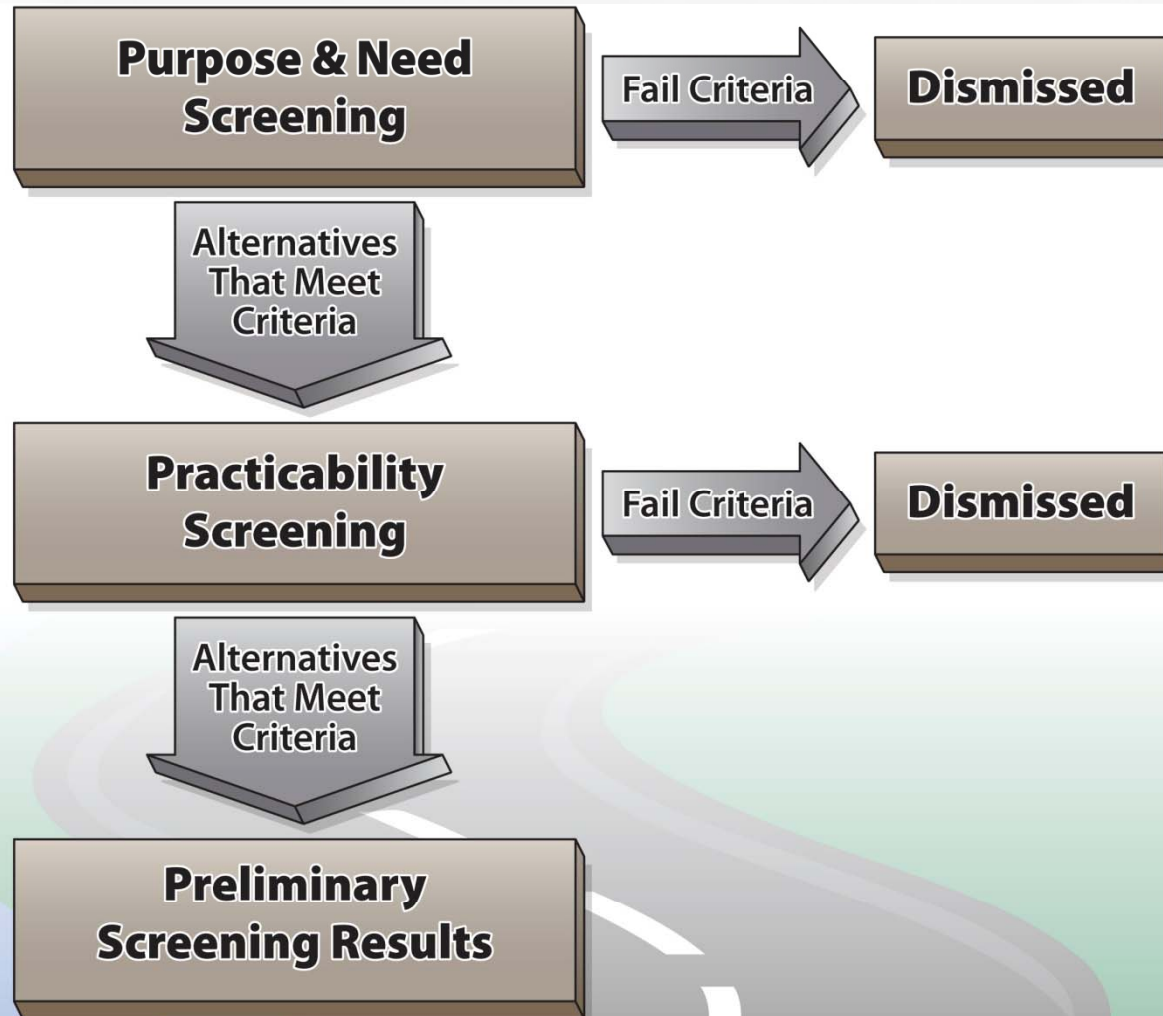
SOUTH OF BLUFFS ALTERNATIVE

- New alignment located south of the bluffs and along county roads
- Uninterrupted traffic on existing roadway during construction
- Segment 2 is not feasible due to ROW constraints
- All N-12 roadway and embankment demolished
- Access to Niobrara maintained, other access to be determined





ALTERNATIVE SCREENING PROCESS





PURPOSE AND NEED SCREENING CRITERIA

Reliable roadway

- Reduce or eliminate closures and maintenance due to flooding

Safely accommodates traffic

- Meet NDOR roadway design standards
- Reduces or eliminates driver hazard during flooding

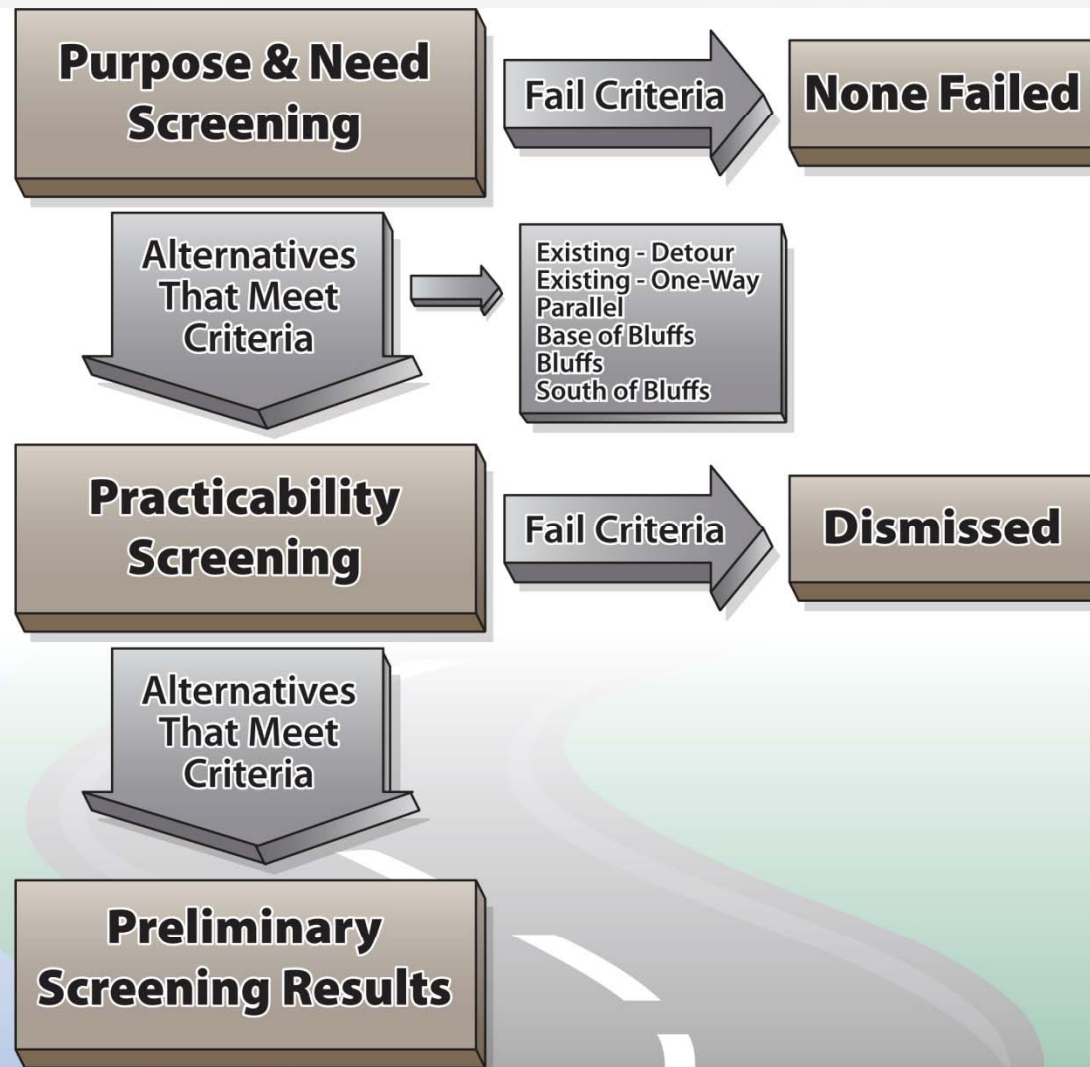
Maintain regional connectivity

- Provide a link for the traveling public using N-14 and county roads, accessing Niobrara





ALTERNATIVE SCREENING PROCESS





PRACTICABILITY SCREENING CRITERIA

Logistics

- Ability to acquire ROW
- Section 7(a) Evaluation, Wild and Scenic River
- Phasing, access, and traffic safety during construction

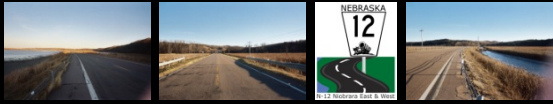
Cost

- ROW and acquisitions
- Construction
 - Grading
 - Structures
 - Pavement
 - Demolition

Technology

- None applicable





INPUT TO ASSIST WITH SCREENING

- Agencies – Corps is coordinating
- Tribes – Corps is coordinating
- Public – Corps wants your input





NEXT STEPS

- Receive public comment through August 7
- Evaluate screening process and results based on public and agency comment
- Continue environmental analysis of alternatives carried forward
- Draft Environmental Impact Statement scheduled for release in Spring 2010
- Public meeting to be held in Spring 2010





QUESTION AND ANSWER

- Speakers:
 - Please register at the sign-in table
 - Your name will be called to speak in the order in which you registered
 - You will be allowed up to 3 minutes to present your comments and ask your question
 - Please refrain from addressing the audience or asking for audience participation
 - The panel will answer any questions after the 3 minutes





QUESTION AND ANSWER

- Audience:
 - Please display respect, courtesy, and patience
 - Please do not interrupt a speaker
 - Please remain quiet while in the audience
 - Please turn off cell phones or set them to vibrate



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Appendix B

Meeting Attendees

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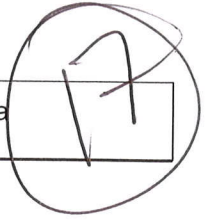
N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

Meeting Date: July 23, 2009

Meeting
Location:

WFLA Conference Center, Niobrara, Nebraska



Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input type="checkbox"/>	Jane Nielson	Property	
<input type="checkbox"/>	Elvin Motoczek		
<input type="checkbox"/>	Zach Nelson	U.S. Senator Ben Nelson	
<input type="checkbox"/>	La Reta Branstetter		P.O. Box 21 Niobrara NE 68760
<input type="checkbox"/>	Z R Branstetter		
<input type="checkbox"/>	Carol Cooley	Property Owner	BX 261 Running Water SD 57062
<input type="checkbox"/>	Myrna Clin	property owner	61 Juniper Rd Niobrara NE 68760
<input type="checkbox"/>	David Weather	Norfolk Daily News	
<input type="checkbox"/>	Rocky Lutton	P D	
<input type="checkbox"/>	Mary Scheinert	Resident	98 Secamore Niobrara NE
<input type="checkbox"/>	Donald L Scheinert	Resident	98 Secamore Niobrara
<input type="checkbox"/>	Howard Paul	MSAC	1511 Holiday Drive Centon SD 57013
<input type="checkbox"/>	Deanna Paul	"	"
<input type="checkbox"/>	Jo Cameron	P.O.	Niobrara, NE 68760 51850 894 Rd
<input type="checkbox"/>	Melvin Cameron	P.O.	" "
<input type="checkbox"/>	Viola Weatherway	P.O.	Niobrara, NE 68760 89108 525 AVE P.O. Box 313
<input type="checkbox"/>	Mark Simpson	PO	52110 892 Rd Niobrara 68760 Box 311





N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

Meeting Date: July 23, 2009

Meeting
Location:

WFLA Conference Center, Niobrara, Nebraska

17

Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input type="checkbox"/>	Rick & Deb Hanzlik	Property owner	89595 517 Ave Niobrara, NE 68760
<input type="checkbox"/>	Kenard J. Keyick	NRD	88971 517 Ave Niobrara, NE 68760
<input type="checkbox"/>	Jeaneke & Meier	Prop owner	88961 533 Ave Niobrara, NE 68760
<input type="checkbox"/>	Ronald J. Kuyper	Property owner	88998 528th Ave NIOBRARA, NE 68760
<input type="checkbox"/>	Don Land	NDDOR	Lincoln NE
<input type="checkbox"/>	Helberta Peterson	property owner	50 Hickman St Niobrara, NE 68760
<input type="checkbox"/>	Dan Kharro	property owner	P.O. Box 372 Niobrara, NE 68760
<input type="checkbox"/>	Susan Bolling	property owner taxpayer	PO Box 130 Niobrara, NE 68760
<input type="checkbox"/>	Mehris Papp	Resident	PO Box 63 Niobrara, NE 68760
<input type="checkbox"/>	Shirley Papp	Resident	P.O. Box 63 Niobrara, NE 68760
<input type="checkbox"/>	JOHN MOORE	VILLAGE TRUSTEE	BX 46 NIOBRARA NE 68760
<input type="checkbox"/>	LAVERNE CAMERON	PROPERTY OWNER	
<input type="checkbox"/>	Bob Janver	Hilltop Lodge Business owner	P.O. Box 98 NIOBRARA NE 68760
<input type="checkbox"/>	Sen Farnell	Farnell's Mkt Business owner	Box 185 Niobrara NE 68760
<input type="checkbox"/>	Charles Nielsen	resident	
<input type="checkbox"/>	Karin R Barta	Property Owner - Knox Co. Hwy Supt.	88785 528 Ave. Niobrara NE 68760
<input type="checkbox"/>	Delynn Minarik	PROPERTY OWNER	203 W. Verde L main st. Niobrara, NE 68760





N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

17

Meeting Date: July 23, 2009

Meeting Location:

WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input checked="" type="checkbox"/>	Kim Swanson	prop. owner	150 Buckeye Rd Niobrara 68760
<input type="checkbox"/>	Josef Hartung	land owner	Box 6 Niobrara NE 68760
<input type="checkbox"/>	Rich Spellman	Lazy River Acres	705 N 57 th Ave., Omaha, NE 68132
<input type="checkbox"/>	Jim Scott	Resident	280 CHERRY NIOBRARA NE 68760
<input type="checkbox"/>	Darlene Olson	Resident	PO Box 227 Niobrara, NE
<input type="checkbox"/>	Robert I. Olson	Village Clerk	PO Box 227 Niobrara, NE
<input type="checkbox"/>	Gregory	PLANNING COMMISSION BUSINESS OWNER	
<input checked="" type="checkbox"/>	Bart Tassar	Property owner resident	POB
<input type="checkbox"/>	Jim D. Robinson	Businessman	P.O. Box 242 Niobrara NE 68760
<input type="checkbox"/>	W. C. H.	WABE NIUR	BOX 252 NIUR 68760
<input type="checkbox"/>	Lynd W. Antecorn	Property owner	Box 378 NIOBRARA, NE 68760
<input type="checkbox"/>	DAN Ashburn	Prop Owner	
<input type="checkbox"/>	Mary L. Merrill	Tot Citizen	PO Box 16 Niobrara
<input type="checkbox"/>	Paula Luman	250 Junior	Deed
<input type="checkbox"/>	Kathy & Ken Foner	Prop Citizen	Box 199
<input type="checkbox"/>	Robert W. Crosby	property owner	Box 199 Ne 68760
<input type="checkbox"/>	Linda Downing	property owner	





N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

Meeting Date: July 23, 2009

Meeting Location:

WFLA Conference Center, Niobrara, Nebraska

5

Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input checked="" type="checkbox"/>	PRIVETT, PHILIP	River Rental	P PRIVETT@msn.com 51847 897 RD.
<input checked="" type="checkbox"/>	MASS R. A.	PROPERTY OWNER	NIOBRARA, NE 68760
<input type="checkbox"/>	Joe Pinkelman	TAX PAYER	Box 171 Niobrara, NE 68760
<input type="checkbox"/>	Mary Jo Rabinette	10 Cottonwood	Niobrara Ne
<input type="checkbox"/>	Dan & Leah Shannon		Niobrara Ne.
<input checked="" type="checkbox"/>	Charles Beda	PROPERTY OWNER	PLATTSBURGH NE 68048 19908 TREASURE ISL RD
<input type="checkbox"/>	MICHAEL ALIANO	M.U.D. ROAD 64N PROPERTY OWNER	9332 EDNA ST. 68128 LAVISTA NE
<input type="checkbox"/>	Kirk Schiffer	Property Owner	48036 Indian Ridge Ct. Sioux Falls, SD 57108
<input type="checkbox"/>	DEAN HEND	" "	51725 897 RD 68760 -6071
<input type="checkbox"/>	Sandra & Jeff Warming	" "	PO Box 118 Niobrara NE.
<input type="checkbox"/>	Matt Moody	" "	P.O. BOX 111 Niobrara NE
<input type="checkbox"/>	Thomas Colquhoun	Property Owner	307 Quimby Ave Verdugo, CA 91383
<input type="checkbox"/>	DEAN HUDSON	NIOBRARA RESIDENT	PO Box 281 NIOBRARA NE 68760
<input type="checkbox"/>	Ron Storch	Owner Niobrara	15 Cottonwood Dr Niobrara, NE 68760
<input type="checkbox"/>	Kathy Meier	NIOBRARA Resident	Box 96 NIOBRARA NE 68760
<input type="checkbox"/>			
<input type="checkbox"/>			





N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

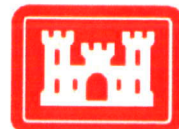
Meeting Date: July 23, 2009

Meeting Location:

WFLA Conference Center, Niobrara, Nebraska

9

Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input type="checkbox"/>	Mark R. Downey	Property Owner	Delphos, Oh. 45833 511 E. 5 TH ST.
<input type="checkbox"/>	Shila Keeble	Village Board Business	Box 216 Niobrara 68760
<input type="checkbox"/>	Arlene Liska	Courier News Tribune	88663 Highway 14 Medicine Hat
<input type="checkbox"/>	P.J. BOYLE	NDO R	NORFOLK
<input type="checkbox"/>	Gordon Fulton	Prop Owner	Creighton, NE 68720
<input type="checkbox"/>	Dennis Nommwig		40632 315 th St Springfield SD 57062
<input type="checkbox"/>	David Jare	Press	
<input type="checkbox"/>	Leresa Foner	Business Owner	PO Box 295 Niobrara NE 68760
<input type="checkbox"/>	Josh Battle		3X
<input type="checkbox"/>			
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N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

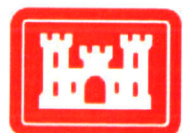
Meeting Date: July 23, 2009

Meeting
Location:

WFLA Conference Center, Niobrara, Nebraska

5

Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input checked="" type="checkbox"/>	Kris Winter	NIDOR	P.O. Box 1707 Norfolk, NE 68702-1707
<input checked="" type="checkbox"/>	Donna Meier	Interested Town dweller	PO Box 116 Niobrara 68760
<input type="checkbox"/>	Delores Hoffman	Summer home on river	Box 712 plainview ne 68769
<input type="checkbox"/>	Rayden Swanson	Knox County Supervisor	Niobrara NE 68760
<input type="checkbox"/>	Richard Herbo	Niobrara Village Board Citizen	Niobrara, NE 68760
<input type="checkbox"/>			
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N-12 NIOBRARA EAST & WEST PROJECT

Public Meeting Sign-In

Meeting Date: July 23, 2009

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

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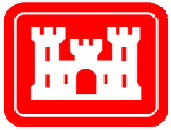
Check here to be added to the project mailing list:	Name	Interest (Property Owner, Interested Citizen, Official)	Complete Mailing Address
<input checked="" type="checkbox"/>	Richard Hermann	Use The Road Several Times A Day	31850 S.D Hwy 37 Running Water S.D 57062-6603
<input checked="" type="checkbox"/>	Bon McKelare	Many Times a day	Box 181 Niobrara NE
<input checked="" type="checkbox"/>	Stanley O. Dryak	Official Village Board	Box 233 Niobrara, Ne 68140
<input type="checkbox"/>	Liz Krupicka	Local Resident	88998 528 Ave Niobrara, NE 68760
<input type="checkbox"/>	Dale Lange		P.O. Box 271 Crofton, Ne 68730
<input checked="" type="checkbox"/>	LARRY MEIER	LOCAL RESIDENT	Box 96 NIOBRARA, NE 68760
<input type="checkbox"/>			
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N-12 Niobrara East & West



Corps Announces New Project Manager for the N-12 Project

Becky Latka, a National Environmental Policy Act and Endangered Species Act Specialist with the U.S. Army Corps of Engineers (the Corps) will be assuming duties as the Project Manager for the N-12 Niobrara East & West Project. She may be contacted by mail at 1616 Capitol Avenue, Omaha, NE 68102, by phone at (402) 995-2681, or by email at Rebecca.J.Latka@usace.army.mil.

Corps Announces Additional N-12 Project Information Available to the Public Online

At the recent N-12 public meeting held July 23, the Corps was asked to provide the criteria used to determine the alternative alignment footprints. The Corps has compiled this information and made it available to the public on the N-12 Project website at:

<http://www.dor.state.ne.us/projects/niobrara-N12/index.htm>

Also available on the N-12 project website are:

- The July 2009 Project newsletter
- The July 23 public meeting presentation, handout, and display boards.

*If you are unable to access this information online,
please contact Becky Latka at the contact information supplied above.*

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U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

NEWS RELEASE

For Immediate Release: Feb. 4, 2011

Contact: Eileen Williamson 402-995-2417

eileen.l.williamson@usace.army.mil

Becky Latka 402-995-2681

rebecca.j.latka@usace.army.mil

Nebraska Highway 12 – Niobrara East & West Project Update

Omaha, Neb. – This spring, the U.S. Army Corps of Engineers (Corps) will make a preliminary Draft Environmental Impact Statement (EIS) available to the Nebraska Department of Roads (NDOR) and the Nebraska Highway 12 Niobrara East & West Project's (N-12 Project) cooperating resource agencies for review.

The Corps provided the participating agencies an update on the status of the preliminary Draft EIS and the schedule for its completion on February 2. These agencies include the National Park Service, the U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency, the Federal Highway Administration, Nebraska Game and Parks Commission, Nebraska Department of Environmental Quality, and the Knox County Board of Supervisors.

The Corps has also been actively coordinating under its Federal Trust Responsibility with the Ponca Tribe of Nebraska and the Santee Sioux Nation.

The purpose of the EIS is to analyze the direct, indirect and cumulative effects on the human and natural environment resulting from the various alternatives that would remedy the flooding and roadway deficiencies of the existing roadway. NDOR will apply for a Section 404 Clean Water Act permit from the Corps for one of the alternative alignments for the N-12 Project.

The Corps will incorporate agency comments into the Draft EIS, which will be made available to the public. The Draft EIS is scheduled for publication and release in the fall of 2011. The Draft EIS will be released to the public through a formal notice and structured comment period. During that period, a public meeting will be held to present the Draft EIS and members of the public will have the opportunity to provide feedback.

More information is available on the N-12 Project website at:

<http://www.dor.state.ne.us/projects/niobrara-N12>.

Questions regarding the EIS process or the anticipated schedule can be addressed to:

Ms. Becky Latka

Project Manager

U.S. Army Corps of Engineers

1616 Capitol Avenue

Omaha, NE 68102

(402) 995-2681

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US Army Corps of Engineers in cooperation with Nebraska Department of Roads

N-12 Niobrara East & West Project



N-12 Niobrara East & West

Background and Update

What is the US Army Corps of Engineers' role on the N-12 Niobrara East and West Project?

Section 404 of the Clean Water Act (1972) authorizes the US Army Corps of Engineers (the Corps) to issue permits for placing fill material into the waters of the United States, including wetlands. This means that if the Nebraska Department of Roads (NDOR) wishes to construct a roadway that will place fill material into wetlands, then NDOR has to obtain a Section 404 permit from the Corps. Most wetlands are a productive and valuable public resource. Unneeded change or damage should be avoided. Wetlands perform roles that are important to the public interest, such as habitat for water and land species; shields from wave action, erosion, or storm damage; storage areas for storm and flood waters; discharge and recharge areas for groundwater; and surface water purification. Placing fill in a single wetland may cause a minor change in one or more of these roles. However, the combined effect of numerous minor changes could result in major damage to the roles that wetlands perform. Therefore, the Corps reviews any project that may impact waters of the United States, including wetlands. The Corps may require that alternatives be considered when impacts are major.

In addition, the Corps must comply with the National Environmental Policy Act of 1969 (NEPA). NEPA is required for federal actions. "Issuing a permit" under Section 404 is considered a federal action. The Corps determined an Environmental Impact Statement (EIS) was needed to evaluate the potential impacts on wetlands and all other impacts on the human and natural environment. This means that the EIS is being written to disclose impacts expected if a Section 404 permit is issued (federal action).

What is NDOR's role on the N-12 Niobrara East and West Project?

NDOR is the agency that is applying for a Section 404 permit from the Corps to build a road. NDOR will prepare a Section 404 permit application for the project that it wishes to build. NDOR provides the road alignment alternatives that the Corps will analyze in the EIS.

Why is there a delay in the development of the EIS?

The NEPA process for the N-12 Project began in 2008 when the Corps started the EIS. Part of the EIS process is alternatives screening. NDOR provides the Corps with proposed roadway alternatives that have to meet standard design criteria. Specifically, NDOR's minimum design standards require that State and local roadways have an area from the driving lane free of obstacles, including above bodies of water. N-12 shall have approximately 7.5 feet of clearance above the 100-year flood elevation, and N-14 shall have approximately 7 feet of clearance above the 100-year flood elevation.

In spring 2013, the Corps developed a new floodplain model during a study requested by the Niobrara Public School District. The model included new information from the 2011 flood. The Corps then compared the floodplain elevations developed under the new model to the Parallel Alignment (Alternative A2) as it was currently designed. The Corps found that Alternative A2 no longer meets 100-year flood design criteria, and the other road alternatives may also be impacted. Based on this information, NDOR chose to redesign all of the floodplain alternatives to raise the roadway elevations based on the new floodplain modeling. In addition, NDOR has reevaluated its design engineering for the Bluffs Alignment (Alternative B1). NDOR is redesigning the Bluffs Alignment (Alternative B1) with a wider footprint and drainage methods to reduce the potential for slides and road failures due to the presence of Pierre shale. To view an Alternatives Carried Forward figure, please visit www.transportation.nebraska.gov/projects/niobrara-N12/index.htm.

The redesign of the alternatives will change the cost of each alternative and the impacts on wetlands. The Corps uses cost as a factor to determine what alternatives are practicable. Therefore, a new review of alternatives and their costs will be needed. The Corps will also review each revised alternative for impacts on wetlands and other resources. These impacts will be discussed in the EIS.

Project Description

Nebraska Highway 12 (N-12) is an east-west two-lane highway in northeastern Nebraska that provides a route for local residents and through traffic. The intent of the Project is to maintain, improve, or replace with a new alignment, as necessary, the existing N-12 roadway east and west of the Village of Niobrara, resulting in a safe and reliable roadway.





Becky Latka
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Visit the Project Website:

[www.transportation.nebraska.gov/
projects/niobrara-N12/index.htm](http://www.transportation.nebraska.gov/projects/niobrara-N12/index.htm)

Project Team Contacts

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When will the EIS be available for public review and comment?

NDOR plans to have the redesign of the alternatives and new costs developed by summer 2014. The Corps will then include the alternatives and impacts in the EIS. A draft of the EIS is planned to be available to the public in spring 2015. The Corps will host a public meeting and request comments from the public.

Contacts and Locations for Information

For information on the N-12 Niobrara East and West Project EIS, you can access the project website at <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Nebraska/EISHighway12.aspx> or at <http://www.transportation.nebraska.gov/projects/niobrara-N12/index.htm>.

Please contact Becky Latka with the Corps with any questions on the N-12 Niobrara East and West EIS project at (402) 995-2681, by email at Rebecca.J.Latka@usace.army.mil, or by mail at:

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